SAN FRANCISCO PUBLIC LIBRARY
3 1223 03474 3923

San Francisco Public Library

Government Information Center
San Francisco Public Library
100 Larkin Street, 5th Floor
San Francisco, CA 94102

REFERENCE BOOK

Not to be taken from the Library

Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.
NOV 29 2005
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, September 13, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris*

Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll the following Supervisors Maxwell and McGoldrick were noted absent.

Supervisor McGoldrick was noted present at 2:10 p.m.

Supervisor Maxwell was noted present at 2:12 p.m.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved to approve August 9, 2005 and August 16, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Mirkarimi, Peskin, Sandoval
Absent: 2 - Maxwell, McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

051504 [Adopting findings related to the tentative subdivision map appeal on property located at 858 Duncan]

Motion adopting findings related to the appeal of the decision of the Department of Public Works approving tentative map to authorize the construction of an eighteen unit new condominium mixed-use project at 858 Duncan (Lot 015 in Assessor's Block 7518).

3 1223 03474 3923

Enacted Number: M05-120

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Mirkarimi, Peskin, Sandoval
Absent: 2 - Maxwell, McGoldrick

Recommendation of the Budget and Finance Committee

051257 [Sweatfree Ordinance]

Mayor, Supervisors Ammiano, Alioto-Pier, Daly, Mirkarimi, Maxwell, McGoldrick, Dufty, Ma, Sandoval

Ordinance amending the San Francisco Administrative Code by adding Chapter 12U, finding that the City would benefit by spending its funds in a manner that would support safe and humane working conditions; requiring contractors and subcontractors providing goods to the City and County to comply with laws and standards affecting labor and employment conditions for employees performing work under the contract and subcontracts, including:not engaging in abusive forms of child labor, foreign convict or forced labor, or slave labor; and compliance with all human and labor rights and labor standards imposed by law or treaty law on the country where the goods are being made or assembled; paying wages that are not less than a minimum wage established by the Director of the Office of Contract Administration; compliance with all applicable laws governing wages, employee benefits, health and safety, labor, environmental conditions, nondiscrimination, freedom of association; creating the Sweatfree Procurement Advisory Group to make recommendations on the implementation, administration or enforcement of this Chapter to the Director of the Office of Contract Administration and the Office of Labor Standards Enforcement; targeting the procurement of garments for enforcement of this Chapter during the first full fiscal year following the effective date of the Chapter, and, thereafter, targeting other goods for enforcement based on recommendations of the Sweatfree Procurement Advisory Group submitted by the Director of the Office of Contract Administration to the Board of Supervisors and approved by ordinance.

(Fiscal impact.)

Enacted Number: 223-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Mirkarimi, Peskin, Sandoval
Absent: 2 - Maxwell, McGoldrick

Recommendations of the Rules Committee

051005 [Cable Television Franchise Amendments] Mayor

Ordinance amending Ordinance No. 105-64, as amended by Ordinance Nos. 528-88, 315-89, 42-91, 42-97, and 266-99, by amending sections 1, 9, 24.3, 25, 25.5, 27.2, 31, and 32 and Appendix C to extend the term of the franchise and to clarify and expand the obligations of the Comcast of California III, Inc.

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Continued to September 27, 2005

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

051006 [Settlement of Claims - Comcast of California III, Inc.] Mayor

Ordinance approving the settlement of certain non-litigated claims on behalf of the City and County of San Francisco against Comcast of California III, Inc.

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Continued to September 27, 2005

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

CLOSED SESSION

051408 [Closed Session - Potential Litigation, Comcast of California III] Supervisor McGoldrick

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation and a settlement involving the

City related to the renewal of the cable franchise for Comcast of California III. The settlement resolves the City's unlitigated claims against Comcast California III for $3.5 million, extends the franchise for 4 years, and modifies the terms of the franchise in several ways, including increasing funding for public access, educational and government programming. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved to convene in closed session. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recess

The Board recessed at the hour of 5:00 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 5:55 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly,

Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval - 11

Report on Closed Session

Deputy City Attorney Cheryl Adams, reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9(a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

Persons in attendance: Supervisors Alioto-Pier, Ammiano, Daly,

Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Cheryl Adams, Deputy City Attorney

Theresa Mueller, Deputy City Attorney

William Lowrey, Miller & Van Eaton, Outside Counsel

Chris Vein, Acting Director, DTIS

Brian Roberts, DTIS

Ron Vinson, Acting Administrator, DTIS

Kay Gulbengay, Deputy Clerk

Victor Young, Assistant Clerk

The meeting was informational only and no action was taken.

[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendation of the Land Use Committee

051380 [Interdepartmental jurisdictional transfer of property] — Supervisors Dufty, Sandoval

Ordinance transferring jurisdiction of certain unimproved real property located on Roosevelt Way and Henry Street (Block 2612, Lot 50) from the Mayor's Office of Housing to the Recreation and Park Department.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, Elsbernd

SPECIAL ORDER 3:00 P.M.

050853 [Hearing - Street Vacation portion of Bernal Heights Boulevard]

Hearing of persons interested in or objecting to proposed Ordinance ordering the vacation of a portion of Bernal Heights Boulevard west of Moultrie Street; transferring jurisdiction from the Department of Public Works to the Recreation and Park Department; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance. (Clerk of the

Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Speakers in Opposition: Female speaker; Todd Smithline; Maria Herano; Victoria Landstown; Beverly Anderson; Mr. Berstein; John Sanger; Bobbie Sue Hood; Aiya; Katie Mulligan; Alicia Chason; Mark Sabitino; Alicia Jacoby.

Speakers in Support: Charlotte Hill; Gina Dera; Terry McDonald.

Department representatives:

Keith Kawamura, Recreation and Parks Department, Capital Improvement

Barbara Moy, Department of Public Works

Steve Legnitto, Real Estate Division

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

From the Land Use Committee Without Recommendation

050852 [Ordering the vacation of a portion of Bernal Heights Boulevard]

Ordinance ordering the vacation of a portion of Bernal Heights Boulevard west of Moultrie Street; transferring jurisdiction from the Department of Public Works to the Recreation and Park Department; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance. (Real Estate Department)

(To be heard at a public hearing on September 13, 2005 at 3:00 p.m.)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to

suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Privilege of the Floor

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Corrine Megihan, Building Manager of City Hall and her staff in recognition of their outstanding work.

Supervisor Ammiano introduced, welcomed and presented a Certificate of Honor to Aroma Guy, Elizabeth "Betta" Martinez, and Medea Benjamin for being nominated for the Nobel Peace Prize.

Supervisor Alioto-Pier introduced, welcomed and presented a Certificate of Honor to Dr. Goery Delacote in recognition of his work as the Executive Director of the San Francisco Exploratorium.

SPECIAL ORDER 4:00 P.M.

051402 [Public Hearing - Appeal of Categorical Exemption for 3350 20th Street (Quonset Hut structure)]

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 7, 2004, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Section 15301 (l) (3), the demolition of a small commercial structure. The proposed project involves the demolition of the Quonset Hut structure located at at 3350 20th Street, Assessor's Block 3594, Lot 15. (Appellant: Sue C. Hestor, Attorney, representing Mission Anti-Displacement Coalition).

Continued to September 20, 2005.

Supervisor Ammiano, seconded by Supervisor Daly, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051403 [Affirming the categorical exemption issued for 3350 20th Street]

Motion affirming the determination by the Planning Department that the 3350 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to September 20, 2005

Supervisor Ammiano, seconded by Supervisor Daly, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051404 [Disapproving the categorical exemption issued for 3350 20th Street]

Motion disapproving the determination by the Planning Department that the 3350 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to September 20, 2005

Supervisor Ammiano, seconded by Supervisor Daly, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051405 [Preparation of findings related to the categorical exemption issued for 3350 20th Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 3350 20th Street Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to September 20, 2005

Supervisor Ammiano, seconded by Supervisor Daly, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

From the Budget and Finance Committee

051475 [Approval of Amendment to Design Agreement for the Laguna Honda Hospital Replacement Program] Supervisor Elsbernd

Resolution authorizing the Director of Public Works to execute amendment to the Design Agreement for the Laguna Honda Hospital Replacement Program modifying the total contract amount from $32,595,782 to

$33,706,892.

(Fiscal impact.)

Enacted Number: 667-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Government Audit and Oversight Committee

051511 [To appropriate general fund reserve to the Board of Supervisors for the Budget Analyst to perform a management audit of the Office of Emergency Services] — Supervisors Peskin, Mirkarimi

Ordinance appropriating $179,358 from the General Fund Reserve to the Board of Supervisors to pay the Budget Analyst to perform a management audit of the Office of Emergency Services for Fiscal Year 2005-2006.

(Fiscal impact.)

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

051483 [Accept-Expend Federal Grant - Office of Emergency Services] — Supervisor Ma

Resolution authorizing the Office of Emergency Services to retroactively accept and expend a Federal Grant in the amount of $280,000 from the United States Department of Homeland Security for the purpose of providing financial assistance to San Francisco's Metropolitan Medical Response System (MMRS).

Enacted Number: 668-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

051513 [Directing the Budget Analyst to conduct a management audit of the Emergency Communications Department - Emergency Services Coordination Program on a Priority Basis] — Supervisor Peskin

Motion amending the Schedule of Audits for the Budget Analyst and Directing the Budget Analyst to conduct a management audit of the

Emergency Communications Department - Emergency Services Coordination Program and to perform this management audit as the next priority assignment.

Enacted Number: M05-119

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Ammiano provided the Board with an update on the Municipal Transportation Commission and the Golden Gate Bridge District on which he represents the Board of Supervisors.

Supervisor Sandoval provided the Board with an update on the San Francisco Employees Retirement System on which he represents the Board of Supervisors.

PUBLIC COMMENT

Joseph Braverman; expressed concern with the Patriot Act and the enforcement of the limitations

James Chaffe; expressed concern with the SF Public Library's radio tracking system and the Privacy and Technology Committee

Betty Wright; expressed concern with violence in public schools by staff and discipline issues

Steven Dreyfus, SF Street Musicians; expressed concern with music as a form of art and the Arts Commission non-issuance of permits

Rick Reynolds, SF Children Come First Commission; expressed concern with SF School District and the severance pay for Superintendent Arlene Ackerman

Esponola Jackson; expressed concern with the Bayview Hunters Point problems and environmental issues

Melida Felix; expressed concern with child care subsidies

Tammy Brion, expressed concern with the SF School District and the severance pay for Superintendent Arlene Ackerman

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051523 [Traffic Calming Measures on McAllister and Grove Streets] Supervisor Mirkarimi

Resolution urging the Department of Parking and Traffic to take measures to prevent unlawful and dangerous driving on McAllister Street between Webster Street and Laguna Street and on Grove Street between Webster Street and Laguna Street.

Enacted Number: 666-05

ADOPTED

051524 [Speed Humps on Linden and Rose Streets] Supervisor Mirkarimi

Resolution urging the Department of Parking and Traffic to install speed humps to prevent unlawful and dangerous driving on Linden Street between Webster Street and Buchanan Street and on Rose Street between Webster Street and Buchanan Street.

Enacted Number: 665-05

ADOPTED

051525 [Support and Expenditures for Hurricane Katrina Relief Efforts]

Resolution establishing City support for Hurricane Katrina relief efforts and preliminarily approving expenditures required to provide City support.

Enacted Number: 664-05

ADOPTED

051526 [Grant from Friends of City Planning for the Leland Avenue Revitalization Project] Supervisor Maxwell

Resolution authorizing the Director of the Planning Department to accept and expend a grant in the amount of $75,000 from the Friends of City Planning to undertake streetscape design for the Leland Avenue Revitalization Project.

Enacted Number: 663-05

ADOPTED

051527 [To provide three food related programs in San Francisco] Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend three grants in the total amount of $4,606.18 from the California Department of Food and Agriculture (CDFA) for organic foods ($1,000), egg quality control ($2,256.18), and weighmasters ($1,350) programs, and to enter into agreements for the use of these funds; for the period of July 1, 2005 through June 30, 2006.

Enacted Number: 662-05

ADOPTED

051528 [Approving Child Care Subsidy Plan] Supervisor Peskin

Resolution approving county individualized child care subsidy plan authorized by Senate Bill 701 (Migden), for submission to California Department of Education, Child Development Division.

Enacted Number: 661-05

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

051558 [Reenacting a Disadvantaged Business Enterprise Program] Supervisor Ma

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

9/13/05, ASSIGNED to Board of Supervisors.

051559 [An ordinance conforming state law, provisions of the Administrative Code, which permit any person who is liable for tax on property that has been damaged or destroyed by misfortune or Supervisor Elsbernd

Ordinance amending Section 10.2-5 of the San Francisco Administrative Code to conform to Section 170 of Chapter 2.5, Part 1, Division 1 of the California Revenue and Taxation Code providing that every assessee of any taxable property, or any person liable for the taxes thereon, whose property was damaged or destroyed, without his or her fault, by a misfortune or

calamity, may apply for reassessment of that property; specifying the nature of the damage or destruction required to be eligible for reassessment; and also specifying that the Assessor-Recorder may initiate the reassessment where the Assessor-Recorder determines that within the preceding 12 months taxable property located in the County was damaged or destroyed, for the purpose of providing property tax relief to residents of the City and County of San Francisco.

9/13/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051562 [Zoning Map Amendment in connection with Third Street and Oakdale Avenue Affordable Housing Special Use District] Supervisor Maxwell

Ordinance amending Zoning Map Section 10 of the City and County of San Francisco for the property at 4800 Third Street (Lot 45, Assessor's Block 5322), located at the southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou Avenue, and Newhall Street; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

9/13/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 10/13/2005.

051563 [Third Street and Oakdale Avenue Affordable Housing Special Use District] Supervisor Maxwell

Ordinance establishing the Third Street and Oakdale Avenue Affordable Housing Special Use District for property at 4800 Third Street (Lot 45, Assessor's Block 5322), located at the southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou Avenue, and Newhall Street, by adding Planning Code Section 249.27, and making findings including findings under the California Environmental Quality Act.

9/13/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 10/13/2005.

Resolutions

051566 [Interdepartmental jurisdictional transfer of High Street Properties (Block 2848, Lot 001 and Block 2850, Lot 023) from Department of Public Works to Recreation and Park Department] Supervisor Dufty

Resolution urging support for the transfer of vacant properties on High Street identified as Assessor's Block 2848, Lot 001 and Assessor's Block 2850, Lot 023 from the Department of Public Works to the Recreation and Park Department for the creation of open space.

9/13/05, RECEIVED AND ASSIGNED to Land Use Committee.

051567 [Accept-Expend Federal Grant - Department of Parking and Traffic] Supervisor Mirkarimi

Resolution authorizing the Department of Parking and Traffic to retroactively accept and expend a grant in the amount of $500,000 from the Metropolitan Transportation Commission (MTC) to integrate the SFgo Transportation Management Center (TMC) with Caltrans District 4 in Oakland

and 511 to exchange real-time transportation information.

9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051568 [Accept-Expend Federal/State Pass Through Grant - Department of Public Library] — Supervisors Alioto-Pier, Dufty

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $17,447 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.

9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051571 [Supporting Gay Marriage AB849] — Supervisors Ammiano, Dufty, Daly, Sandoval, Mirkarimi

Resolution declaring support for eliminating legal discrimination against same-sex couples in the provision of civil marriage licenses and further supporting The Religious Freedom and Civil Marriage Protection Act, AB849 and further urging the Governor of California, Arnold Schwarzenegger to sign The Religious Freedom and Civil Marriage Protection Act to protect all families of California.

9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051572 [SFUSD Labor-Management Dispute] — Supervisors Ammiano, Ma

Resolution urging the San Francisco Board of Education and the San Francisco Unified School District Superintendent, Arlene Ackerman, to seek all avenues available to resolve the current labor and management dispute, including finding a informal or local mediator and utilizing portions of Proposition H, the Public Education Enrichment Fund, to fund salaries for the lowest paid and most vulnerable School District employees.

9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051573 [Declaring September 24, 2005 as Grand Duchess Sophilya Leggz and Grand Duke Mike Manicotti Day] — Supervisor Ammiano

Resolution declaring September 24, 2005 as Grand Duchess Sophilya Leggz and Grand Duke Mike Manicotti Day in the City and County of San Francisco.

9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051574 [Accept and Expend Grant - Sheriff's Department] — Supervisor Maxwell

Resolution authorizing the Sheriff's Department to accept and expend a continuation grant in the amount of $76,283 from the Private Industry Council of San Francisco for providing employment and education services to young offenders and after their release from the county jail.

9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051575 [Honoring Richmond Area Multi-Services, Inc. (RAMS)] Supervisor McGoldrick

Resolution honoring Richmond Area Multi-Services, Inc. (RAMS) for their commitment and contributions to the San Francisco community.

9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051576 [Commending Founders of the First Annual Fulton Street Fair] Supervisor Mirkarimi

Resolution commending the Alamo Square Neighborhood Association and the Third Baptist Church for founding the First Annual Fulton Street Fair (aka "The Love Connection").

9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051578 [Declaring October 3, 2005 "B.K.S. Iyengar Day" in San Francisco] Supervisor Peskin

Resolution declaring October 3, 2005 "B.K.S. Iyengar Day" in San Francisco.

9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051579 [Commending Lee Blitch] Supervisor Peskin

Resolution commending Lee Blitch for his invaluable contributions to the City and County of San Francisco.

9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051580 [Urging SFUSD Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package] Supervisor Sandoval

Resolution urging San Francisco Unified School District Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package.

9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

051556 [PG&E Underground Facilities Explosions] Supervisor Dufty

Hearing on PG&E's actions following the explosions in its underground facilities on August 19th and September 3rd, 2005, and the steps the City

has taken to require PG&E to ensure the safety of our citizens by preventing further explosions.

9/13/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051557 [Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]

Hearing to consider the possible adoption of an Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

9/13/05, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on September 27, 2005, at 4:00 p.m.

051561 [Compliance and Enforcement of the Eviction Disclosure Ordinance, Administrative Code 37.10(h)] Supervisor Daly

Hearing to discuss the real estate industry compliance and the City's enforcement, through the District Attorney, City Attorney and Rent Board of the Eviction Disclosure Ordinance, Administrative Code 37.10(h).

9/13/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051564 [Overall Impact of the San Francisco Grand Prix on the City and County of San Francisco] Supervisor Daly

Hearing on overall impact to the City and County, including the deployment and cost of Police Department services and the estimate tax revenue generated by this year's San Francisco Grand Prix bike race.

9/13/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051565 [City's external auditors audit plans for FY 2004-2005 and their Management Letters, if any, related to the City audit for FY 2003-04] Supervisor Peskin

Hearing for the City's external auditors (Macias Gini & Co., KPMG, Hood and Strong, and Williams Adley & Co.) to present their audit plans for Fiscal Year 2004-2005 and their Management Letters, if any, related to the City audit for Fiscal Year 2003-04. This hearing is required under Charter Section 9.117.

9/13/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be scheduled for the September 26, 2005 meeting.

051569 [PG&E Franchise Fee] Supervisor Ammiano

Hearing to consider the PG&E franchise fee.

9/13/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051570 [Annual Report of the San Francisco Graffiti Advisory Board] Supervisor Ammiano

Hearing to inquire into the Annual Report of the San Francisco Graffiti Advisory Board.

9/13/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

051555 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051560 [Emergency Disadvantaged Business Enterprise Program - September 27, 2005, Committee of the Whole] Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on September 27, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051577 [Waiver Permitting City Employees to Assist the Department of Elections with the November 8, 2005 election] Supervisor Peskin

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 8, 2005 election.

9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

051540 [Settlement of Lawsuit - Torfirio Carpenter]

Ordinance authorizing settlement of the lawsuit filed by Torfirio Carpenter against the City and County of San Francisco for $40,000; the lawsuit was filed on April 21, 2004 in San Francisco Superior Court, Case No. 430-718; entitled Torfirio Carpenter, et al., v. City and County of San Francisco, et al. (City Attorney)

8/30/05, RECEIVED AND ASSIGNED to Rules Committee.

051541 [Settlement of Lawsuit - Raymond Nario]

Ordinance authorizing settlement of the lawsuit filed by Raymond Nario against the City and County of San Francisco for $60,000.00; the lawsuit was filed on October 20, 2003 in United States District Court, Case No. C05-1394 JSW; entitled Raymond Nario, et al., v. City and County of San Francisco, et al. (City Attorney)

8/30/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

051546 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY NO STOPPING ANYTIME - ESTABLISH
Beacon Street, both sides, from the south end of the driveway of 383 Beacon Street to 120 feet southerly.

(8/30/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the stree; DPT Order No. 3056.)

8/31/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 09/13/05 - Parking and Traffic notified to post required notices and ad placed in the 09/21/05 edition of the SF Chronicle.

051547 [STOP Intersections] Supervisor Elsbernd

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Clement Street and 15th Avenue, stopping Clement Street at 15th Avenue, making this intersection an all-way STOP.
Flood Avenue at Congo Street, installing STOP signs on Flood Avenue at Congo Street, making this intersection an All-Way STOP.
Fairfield Way at Kenwood Way, installing a STOP sign on Fairfield Way at Kenwood Way. (Parking and Traffic Department)

(8/30/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the stree; DPT Order No. 3056.)

8/31/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 09/13/05 - Parking and Traffic notified to post required notices and ad placed in the 09/21/05 edition of the SF Chronicle.

Supervisor Elsbernd requested to be added as a sponsor.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requesting that the Department of Parking and Traffic and the Municipal Transportation Agency report on the status of repainting the badly faded stop lines on Ashbury Street at the intersection with Grove Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing the graffiti on the signal box at the northeast corner of the intersection of Sutter Street and Gough Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requesting that the Department of Parking and Traffic and the Municipal Transportation Agency report on the status of repainting the badly faded crosswalks at the intersection of Hayes Street and Shrader Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requesting that the Department of Parking and Traffic and the Municipal Transportation Agency report on the status of repainting the badly faded crosswalks on Masonic Avenue at the intersection with Oak Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of the potholes on Webster Street between the intersection with Bush Street and 1814 Webster Street.

From: Supervisor Daly

To: Director, Mayor's Office of Economic and Workforce Development

Requesting/Inquiring: Requesting a letter to the Mayor's Office of Economic and Workforce Development inquiring about the

Requests Granted

Charles A. Black - Supervisor Alioto-Pier

Willie Wong - Supervisor Ma

Erika Michaela Brunar Hills - Supervisor Alioto-Pier

Tien Pui "TP" Kwong - Supervisor Peskin

Carolyn Gates - Supervisor Peskin

Jabari Hall - Supervisor Mirkarimi

Omar J. Mosley - Supervisors Dufty and Ammiano

Robert Coffman - Supervisor Ammiano

In Memoriams

ADJOURNMENT

There being no further business the Board adjourned at the hour of 7:08 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 11, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2)

ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby Jr. by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-

7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999-2005 City & County of San Francisco. All rights reserved.

Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.
NOV 29 2005
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, September 6, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Tom Ammiano, Bevan Dufty, Sean*

Elsbernd, Fiona Ma, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *Michela Alioto-Pier, Chris Daly, Jake McGoldrick.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll the following Supervisors Alioto-Pier, Daly and McGoldrick were noted absent.

Supervisors Alioto-Pier, Daly and McGoldrick were previously excused from attending today's meeting. (See Infra)

Quorum present.

Supervisors Alioto-Pier, Daly and McGoldrick Excused from Attendance

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to excuse Supervisors Alioto-Pier, Daly and McGoldrick from attending today's meeting. The motion carried by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to approve July 26, 2005 and August 2, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

AGENDA CHANGES

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood

Services Committee

051294 [Fillmore and Grove "STOP" Intersection] Supervisor Mirkarimi

Resolution designating Fillmore and Grove as a "STOP" intersection.

STOP SIGNS - ESTABLISH
Fillmore and Grove, stopping northbound and southbound Fillmore, making this intersection an All-Way STOP.

(7/11/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 657-05
ADOPTED

Recommendation of the Land Use Committee

050739 [SLI Zoning District - Allowing Certain Financial Services] Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Table 817 to add Section 817.32 allowing a financial service use in an SLI (Service/Light Industrial) Zoning District under certain circumstances; adopting findings.

Enacted Number: 221-05
FINALLY PASSED

Recommendations of the Rules Committee

051349 [Settlement of Lawsuit - Shao Xi Tan]

Ordinance authorizing settlement of the lawsuit filed by Shao Xi Tan against the City and County of San Francisco for $80,000; the lawsuit was filed on August 22, 2003 in the United States District Court, Case No. C03-3907 MMC; entitled Shao Xi Tan, et al. v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 218-05
FINALLY PASSED

051350 [Settlement of Lawsuit - San Francisco Bay Area Transit District]

Ordinance approving settlement of litigation brought by the San Francisco Bay Area Transit District against City and County of San Francisco in the eminent domain action entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for a total value of $2,750,000. (City Attorney)

Enacted Number: 220-05

FINALLY PASSED

051377 [Settlement of Lawsuit - Daniel Curiel]

Ordinance authorizing settlement of the lawsuit filed by Daniel Curiel against the City and County of San Francisco for $31,420.11; the lawsuit was filed on April 14, 2003 in San Francisco Superior Court, Case No. 419-362; entitled Daniel Curiel, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 219-05

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

Severed from the Consent Agenda

Supervisor Ammiano requested that this matter be severed so that it might be considered separately

051257 [Sweatfree Ordinance]

Mayor, Supervisors Ammiano, Alioto-Pier, Daly, Mirkarimi, Maxwell, McGoldrick, Dufty, Ma, Sandoval

Ordinance amending the San Francisco Administrative Code by adding Chapter 12U, finding that the City would benefit by spending its funds in a manner that would support safe and humane working conditions; requiring contractors and subcontractors providing goods to the City and County to comply with laws and standards affecting labor and employment conditions

for employees performing work under the contract and subcontracts, including:not engaging in abusive forms of child labor, foreign convict or forced labor, or slave labor; and compliance with all human and labor rights and labor standards imposed by law or treaty law on the country where the goods are being made or assembled; paying wages that are not less than a minimum wage established by the Director of the Office of Contract Administration; compliance with all applicable laws governing wages, employee benefits, health and safety, labor, environmental conditions, nondiscrimination, freedom of association; creating the Sweatfree Procurement Advisory Group to make recommendations on the implementation, administration or enforcement of this Chapter to the Director of the Office of Contract Administration and the Office of Labor Standards Enforcement; targeting the procurement of garments for enforcement of this Chapter during the first full fiscal year following the effective date of the Chapter, and, thereafter, targeting other goods for enforcement based on recommendations of the Sweatfree Procurement Advisory Group submitted by the Director of the Office of Contract Administration to the Board of Supervisors and approved by ordinance.

(Fiscal impact.)

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

051441 [Motion adopting findings related to the categorical exemption issued for 39 Chattanooga Street]

Motion adopting findings related to the determination by the Planning Department that the 39 Chattanooga Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

(Companion measure to Files 051320, 051321, 051311, 051323.)

Enacted Number: M05-115

APPROVED by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

Called From the City Operations and Neighborhood Services Committee

051034 [Prohibiting the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin] Supervisors Ma, Dufty, Daly, Sandoval

Ordinance amending the San Francisco Police Code, by adding a new Article 11.1, beginning with Section 788, to prohibit the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

Enacted Number: 222-05

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

NEW BUSINESS

From the Land Use Committee Without Recommendation

051129 [General Plan Amendment in connection with the Executive Park -- Candlestick Cove Project]

Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Executive Park - Candlestick Cove Project; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the General Plan and the eight Priority Policies of Planning Code Section 101.1. (Planning Department)

NOT PASSED ON FIRST READING by the following vote:

Noes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Recess

The Board recessed at the hour of 3:09 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:05 p.m.

Calling the Roll

The following Supervisors were noted present: Ammiano, Dufty

Elsbernd, Ma, Maxwell, Mirkarimi, Peskin - 7

Supervisor Sandoval was noted present at 4:06 p.m.

SPECIAL ORDER 4:00 P.M.

051435 [Public Hearing - Appeal of Tentative Subdivision Map for 858 Duncan Street]

Hearing of persons interested in or objecting to from the decision of the Department of Public Works dated August 1, 2005, approving Tentative/Parcel Map to legalize the proposed subdivision of Lot 015 in Assessor's Block 7518 located at 858 Duncan Street, San Francisco. The Duncan parcel is approximately 67.92 feet wide and 1140 feet deep, proposed to be split in half lengthwise into 2 parcels. (Appellant: Greg Turner on behalf of the Safira Court Homeowner's Association Board of Directors.)

The President inquired as to whether or not any member of the public wished to address the Board.

The appellant was not present.

The Department of Public Works representative was present.

There were no speakers.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Subdivision Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051436 [Approving decision of the Director of Public Works and approving Tentative Subdivision Map for 858 Duncan Street]

Motion approving decision of the Director of Public Works, and approving Tentative Subdivision Map to legalize the proposed subdivision of Lot 015 in Assessor's Block 7518, located at 858 Duncan Street. (Clerk of the Board)

Enacted Number: M05-116

Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

051437 [Disapproving decision of the Director of Public Works and disapproving Tentative Subdivision Map for 858 Duncan Street]

Motion disapproving decision of the Director of Public Works, and disapproving Tentative Subdivision Map to legalize the proposed subdivision of Lot 015 in Assessor's Block 7518, located at 858 Duncan Street. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

051438 [Findings - 858 Duncan Street]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the proposed subdivision of Lot 015 in Assessor's Block 7518, located at 858 Duncan Street. (Clerk of the Board)

Enacted Number: M05-117

Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

COMMITTEE REPORTS

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Ammiano provided the Board an update on the Municipal Transportation Commission and the Golden Gate Bridge District on which he represents the Board of Supervisors.

PUBLIC COMMENT

Abdullah Megaheed; expressed concern with issues relating to Hurricane Katrina's disaster response by the Federal Government

Robert O'Malley; expressed concern with issues relating to the Love Parade from Germany being allowed to take place in San Francisco

Espanola Jackson; showed interest in the Community Benefit for Little Hollywood and Baview Hunter's Point

John; expressed concern with issues relating to gun laws

Male Speaker; showed interest in the Federal government's response to Hurricane Katrina

John DiDonna; expressed concern with issues relating to the disaster of Hurricane Katrina

Eugene Gordon, Jr.; expressed concern with advertising

Ms. Jadea; expressed concern with issues in her neighborhood and CALTrans lack of cleaning up after construction is completed

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051476 [Accept-Expend Federal Grant - Port Commission] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $100,000 from the United States

Environmental Protection Agency for the San Francisco Bay Cruise Liner Emissions Reductions Incentives Grant (SF Bay CLEARING) Program.

Enacted Number: 649-05
ADOPTED

051477 [50th Anniversary Celebration of CSI] Supervisor Ammiano

Resolution recognizing the 50th Anniversary Celebration of the San Francisco Chapter of the Construction Specifications Institute and commending that Chapter and its many volunteers on this 17th day of September, 2005, for contributing to the advancement of construction technology and education in the City and County of San Francisco.

Enacted Number: 658-05
ADOPTED

051478 [Opposing federal legislation that unduly restricts the local role in telecommunications and video policy] Supervisors Ammiano, Mirkarimi, Peskin, Maxwell, Daly, Dufty, Alioto-Pier

Resolution urging the United States Congress to reject legislation that would unduly restrict the role of local governments in providing broadband Internet access, managing public rights of way, or awarding franchises to video providers and to approve legislation that would preserve the option for local governments to participate in the provision of communications services.

Enacted Number: 650-05
ADOPTED

051479 [Continuing the Ongoing work of the Utility Undergrounding Task Force] Supervisors Dufty, Elsbernd

Resolution continuing the ongoing work of the Utility Undergrounding Task Force to advise the City and County of San Francisco on the future of the utility undergrounding process in San Francisco and to complete its work by June 1, 2006.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 659-05
ADOPTED

051480 [Honoring Trevor Hailey] Supervisor Dufty

Resolution honoring Trevor Hailey upon her retirement, for 16 years leading the "Cruisin' the Castro" walking tour, using her gift for storytelling to

inspire and educate both tourists and native San Franciscans on the history of the world-famous Castro District.

Enacted Number: 656-05
ADOPTED

051481 [Commending the 85th Anniversary of the 19th Amendment] Supervisor Ma

Resolution commending the 85th anniversary of the 19th Amendment to the United States Constitution, extending the right of suffrage to women.

Enacted Number: 655-05
ADOPTED

051482 [Homeland Security Grants] Supervisor Ma

Resolution amending Resolution No. 385-04 to authorize designated City and County officials to execute and file on behalf of the City and County of San Francisco applications for federal and state financial assistance under the Emergency Management Performance Grant Program, the renamed State Homeland Security Grant Program, Public Law 107-206 and any other federal funding programs that are passed through the State of California.

Enacted Number: 660-05
ADOPTED

051484 [Supporting the Amendment of the Million Solar Roofs Initiative Program] Supervisor Mirkarimi

Resolution urging the California Assembly Appropriations Committee, the Assembly and the Senate to amend SB1 in order to allow a Community Choice Aggregator the option to administer its own solar roofs program, and to receive solar incentives that will be funded by their ratepayers under SB1; to guarantee the right of Community Choice Aggregators to use existing lawful financing instruments, such as H bonds and government-owned solar as is required for the City and County's 31 Megawatt Community Choice photovoltaic program pursuant to Ordinance 86-04.

Enacted Number: 651-05
ADOPTED

051488 [Consolidation of Special Statewide Election and special Community College District election with the Consolidated Municipal Election scheduled for November 8, 2005] Supervisor Peskin

Resolution consolidating the Special Statewide Election and special

Community College District election, to be held in the City and County of San Francisco on November 8, 2005, with the Consolidated Municipal Election to be held in the City and County of San Francisco on the same date, and providing that the election precincts, voting places and officers for the Special Statewide Election and special Community College District election shall be the same as for the Consolidated Municipal Election.

Enacted Number: 654-05
ADOPTED

051489 [Meeting Schedule] Supervisor Peskin

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the October 4, 2005 meeting and scheduling a Board Meeting on October 11, 2005.

Enacted Number: 653-05
ADOPTED

051450 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-118
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

Severed from Without Reference to Committee Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

051483 [Accept-Expend Federal Grant - Office of Emergency Services] Supervisor Ma

Resolution authorizing the Office of Emergency Services to retroactively accept and expend a Federal Grant in the amount of $280,000 from the

United States Department of Homeland Security for the purpose of providing financial assistance to San Francisco's Metropolitan Medical Response System (MMRS).

REFERRED to the Government Audit and Oversight Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Maxwell, seconded by Supervisor Ammiano, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Maxwell, seconded by Supervisor Ammiano, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

051502 [Commending Julia Viera]

Resolution commending Julia Viera for her dedication and exemplary service to the community and proclaiming September 9, 2005 as Julia Viera Day in San Francisco.

Enacted Number: 652-05

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

051503 [Assembly Bill 451] Supervisor Peskin

Resolution urging the California State Senate to immediately approve Assembly Bill 451, as proposed by Assembly Bill 451, as proposed by Assembly Speaker Pro Tem Leland Yee, in order to restore vital revenue to San Francisco and San Mateo Counties.

Enacted Number: 648-05

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 3 - Alioto-Pier, Daly, McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051508 [Establishing a Visitacion Valley Community Facilities and Infrastructure Fee and Fund] Supervisor Maxwell

Ordinance adding Planning Code Sections 319 through 319.7 to impose a $4.58 per square foot fee on new residential development in the Visitacion Valley area, to establish a Visitacion Valley Community Facilities and Infrastructure Fund to mitigate impacts from residential development on public infrastructure in Visitacion Valley including libraries, streets, playgrounds, recreational facilities, and community centers, and making findings including findings under the California Environmental Quality Act.

9/6/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 10/6/2005.

051509 [General Plan Amendment in connection with the Executive Park -- Candlestick Cove Project] Supervisor Maxwell

Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Executive Park -- Candlestick Cove Project; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the General Plan and the eight Priority Policies of Planning Code Section 101.1.

9/6/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 10/6/2005.

051510 [First Source Hiring Ordinance - Expanding the Chapter to apply to contract modifications; defining OLSE; amending liquidated damages and penalty sections and to provide for administrative Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending sections 83.2, 83.4, 83.6, 83.7, 83.9, 83.10, 83.11, 83.12, and 83.18 of the First Source Hiring Program to: 1) correct erroneous grammar and

subsection references; 2) change "Department of Human Services (DHS)" to "Human Services Agency (HSA);" 3) define OLSE; 4) include the OLSE in making the final administrative determination regarding compliance with this Chapter; 5) include contract modifications under the definition of contracts; 6) amend provision of liquidated damages against contractors who fail to comply with this Chapter and to provide for administrative review; and 7) amend provision of a penalty against permittees and contractors engaged in non-City work performed in San Francisco who fail to comply with this Chapter and to provide for administrative review.

(Fiscal impact.)

9/6/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/6/2005.

051511 [To appropriate general fund reserve to the Board of Supervisors for the Budget Analyst to perform a management audit of the Office of Emergency Services] Supervisor Peskin

Ordinance appropriating $200,000 from the General Fund Reserve to the Board of Supervisors to pay the Budget Analyst to perform a management audit of the Office of Emergency Services for Fiscal Year 2005-2006.

9/6/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051519 [Grants for the Arts in charge of administration of Nonprofit Performing Arts Loan Program] Mayor

Ordinance amending Sections 50.2, 50.10, 50.11 and 50.21 of the San Francisco Administrative Code concerning the Nonprofit Performing Arts Loan Program to transfer administration of the program from the Mayor's Office of Housing to the Grants for the Arts and allowing Grants for the Arts to establish criteria for loan forgiveness and issue other related regulations and agreements and amending Section 10.100-119 of the San Francisco Administrative Code to clarify that the Fund shall be used for construction project management, capital improvement and acquisition loans to nonprofit performing arts organizations under Chapter 50 of the Administrative Code.

(Fiscal impact.)

9/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051520 [Zoning Map Amendment for parcel on Roosevelt Way at Henry Street] Mayor

Ordinance amending the San Francisco Planning Code by amending Zoning Map Section 7 ZN from a designation of P (Public Use) to RH-2 (Residential House Two Family) and height and Bulk Map Section 7 HT from an OS (Open Space) designation to a 40-X height and bulk limit for the property on Roosevelt Way at Henry Street (Lot 50, Assessor's Block 2612); adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

9/6/05, RECEIVED AND ASSIGNED to Land Use Committee.

051522 [To de-appropriate current capital project Mayor

appropriations to reflect updated sources and uses of capital project funding]

Ordinance de-appropriating $287,977,266 of existing sources and uses authority for various San Francisco International Airport (SFIA) capital project funding to reflect actual sources of funding available to support the Five-Year Capital Plan, Fiscal Year 2004-05 through Fiscal Year 2008-09.

(Fiscal impact.)

9/6/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051529 [To appropriate capital project funding to reflect updated sources and uses appropriation consistent with the priorities outlined in the San Francisco International Airport's Five-Year — Mayor

Ordinance appropriating $243,723,524 in total sources and uses, including the de-appropriation of $125,321,506 in current project funding to use this source for appropriation, as well as appropriating an additional $26,055,079 of available Airport fund balance, $59,588,300 of grant authorization to accept and expend funds from the Federal Aviation Administration for projects related to security, runway and taxiway construction and improvements, $23,182,388 of grant authorization to accept and expend funds from the California Department of Transportation (Caltrans) for viaduct construction, and $9,576,251 in interest income. These various sources and uses are herein appropriated for various San Francisco International Airport (SFIA) capital projects as detailed below to reflect the updated San Francisco International Airport Five-Year Capital Plan, Fiscal Year 2004-05 through Fiscal Year 2008-09.

(Fiscal impact.)

9/6/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Resolutions

051500 [Public Education Enrichment Fund] — Supervisor Ammiano

Resolution approving the San Francisco Unified School District revised expenditure plans for the Public Education Enrichment Fund.

(Fiscal impact.)

9/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be scheduled for consideration at the September 8, 2005 meeting.

051505 [Traffic Regulations] — Supervisor Dufty

Resolution enacting and rescinding traffic regulations on various streets

BICYCLE LANES - ESTABLISH (6-month trial)
Fourteenth Street, eastbound, from Market Street to Dolores Street

ONE WAY STREET - ESTABLISH (6-month trial)

Fourteenth Street, from Market Street to Dolores Street (two-way to eastbound only)

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

9/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051506 [Improve HIV/AIDS treatment and prevention services in San Francisco] — Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $1,488,000 from the Department of Health and Human Services, Centers for Medicare and Medicaid Services (DHHS,CMMS) to improve HIV/AIDS treatment and prevention services in San Francisco and to enter into an agreement for the use of these funds; for the period of July 1, 2005 to June 30, 2006.

9/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051507 [Contract funds to participate in the traineeship for AIDS prevention studies at the University of California at San Francisco Center on AIDS Prevention] — Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the University of California San Francisco, Center on AIDS Prevention Studies (UCSFCAPS) the primary contractor, and expend funds in the amount of $6,624 in order to participate in the traineeship for AIDS prevention studies (TAPS) at UCSFCAPS for the two month period of July 1, 2005, through August 31, 2005.

9/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051517 [To provide trauma and burn care supplies to the San Francisco General Hospital Trauma Center cache] — Supervisor Ma

Resolution authorizing the San Francisco Department of Public Health, San Francisco County EMS Agency (SFDPH,EMS) to accept retroactively and expend a grant in the amount of $127,272 from the State Emergency Medical Services Authority (SEMSA) to provide trauma and burn care supplies to the San Francisco General Hospital Trauma Center cache and to enter into an agreement for the use of these funds; for the period of June 6, 2005 through October 31, 2005.

9/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051523 [Traffic Calming Measures on McAllister and Grove Streets] — Supervisor Mirkarimi

Resolution urging the Department of Parking and Traffic to take measures to prevent unlawful and dangerous driving on McAllister Street between

Webster Street and Laguna Street and on Grove Street between Webster Street and Laguna Street.

9/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051518 [To provide health education services to youth in San Francisco] Supervisor Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $127,000 from the State Office of Family Planning (SOFP) for health education services to youth in San Francisco and to enter into an agreement for the use of these funds; for the period of July 1, 2005, through June 30, 2006.

9/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051524 [Speed Humps on Linden and Rose Streets] Supervisor Mirkarimi

Resolution urging the Department of Parking and Traffic to install speed humps to prevent unlawful and dangerous driving on Linden Street between Webster Street and Buchanan Street and on Rose Street between Webster Street and Buchanan Street.

9/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051525 [Support and Expenditures for Hurricane Katrina Relief Efforts]

Resolution establishing City support for Hurricane Katrina relief efforts and preliminarily approving expenditures required to provide City support.

9/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051526 [Grant from Friends of City Planning for the Leland Avenue Revitalization Project] Supervisor Maxwell

Resolution authorizing the Director of the Planning Department to accept and expend a grant in the amount of $75,000 from the Friends of City Planning to undertake streetscape design for the Leland Avenue Revitalization Project.

9/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051527 [To provide three food related programs in San Francisco] Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend three grants in the total amount of $4,606.18 from the California Department of Food and Agriculture (CDFA) for organic foods ($1,000), egg quality control ($2,256.18), and weighmasters ($1,350) programs, and to enter into agreements for the use of these funds; for the period of July 1, 2005 through June 30, 2006.

9/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051528 [Approving Child Care Subsidy Plan] Supervisor Peskin

Resolution approving county individualized child care subsidy plan authorized by Senate Bill 701 (Migden), for submission to California Department of Education, Child Development Division.

9/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

051501 [Student Achievement Update] Supervisor Ammiano

Hearing of the Joint City/School District Committee to consider an update from SFUSD staff on student achievement.

9/6/05, RECEIVED AND ASSIGNED to City and School District Select Committee.

051514 [Treasure Island Development Authority (TIDA)] Supervisors Daly, Mirkarimi

Hearing on the status of the Treasure Island Development Authority (TIDA) as an independent agency and of the Exclusive Negotiating Agreement (ENA) and its proposed extension with the developer.

9/6/05, RECEIVED AND ASSIGNED to Land Use Committee.

051515 [Emergency Preparedness in San Francisco] Supervisor Dufty

Hearing to allow the City's Office of Emergency Services (OES) to provide information on emergency plans and preparedness in the event of a disaster. Specific information should be provided on steps that individuals and families should take to have plans prepared to respond to any disasters.

9/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051516 [San Francisco's Disaster Preparedness] Supervisor Mirkarimi

Hearing on San Francisco's disaster preparedness in the event of a man-made or natural calamity, with emphasis on but not limited to: community notification warning systems; regional and national assistance and planning; citizen preparedness and participation; mass care, shelter and transportation; OES budget and grant funding projections; preservation of critical services and government oversight; and more subjects to follow - requests the presence of local and state (e.g. OES, etc.), and federal representatives (e.g. FEMA) who are best equipped to address issues pertaining to municipal and regional disaster preparedness.

9/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motions

051512 [Amendment to Budget Analyst contract to exercise two year option] Supervisor Peskin

Motion approving exercising the first option set forth in the agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates; Debra A. Newman; Rodriguez, Perez, Delgado & Company Certified Public Accountants; Harvey M. Rose Accountancy Corporation Certified Public Accountants; and Louie & Wong LLP Certified Public Accountants ("A Joint Venture") to extend the term of the Agreement from January 1, 2006 through December 31, 2007.

(Fiscal impact.)

9/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051513 [Directing the Budget Analyst to conduct a management audit of the Emergency Communications Department - Emergency Services Coordination Program on a Priority Basis] Supervisor Peskin

Motion amending the Schedule of Audits for the Budget Analyst and Directing the Budget Analyst to conduct a management audit of the Emergency Communications Department - Emergency Services Coordination Program and to perform this management audit as the next priority assignment.

9/6/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED ORDINANCES

051439 [Campaign Finance Reform Amendments of 2005] Supervisor Mirkarimi

Ordinance amending the Campaign and Governmental Conduct Code by adding a new Section 1.103, amending Sections 1.100, 1.104, 1.112, 1.114, 1.120, 1.128, 1.130, 1.134, 1.144, 1.152, 1.168, and 1.170, repealing Section 1.118, and repealing Chapter 3 of Article 1, Sections 1.300, 1.305, 1.310, 1.312, 1.315 and 1.320 to: (1) make technical changes including the correction of grammatical or reference errors and the reordering of Sections; (2) conform the Campaign Finance Reform Ordinance to the adoption of Ranked Choice Voting; (3) move the Electronic Filing Ordinance from Chapter 3 of Article 1 of the Campaign and Governmental Conduct Code to the Campaign Finance Reform Ordinance; and (4) expressly set forth a statute of limitations for criminal, civil, administrative and collection actions brought under the Campaign Finance Reform Ordinance. (Ethics Commission)

8/11/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/6/2005.

9/7/05, REFERRED TO DEPARTMENT. Referred to Ethics Commission for review and recommendation.

051442 [Settlement of Lawsuit - Anna Maria Olmedo]

Ordinance authorizing settlement of the lawsuit filed by Anna Maria Olmedo against the City and County of San Francisco for $62,500; the lawsuit was filed on August 15, 1999 in San Francisco Superior Court, Case No. 314-031.

8/15/05, RECEIVED AND ASSIGNED to Rules Committee.

051443 [Amending the Electrical Code regarding headroom requirements for panelboards, entrances for 1200 amp rated equipment, use of non-metallic sheathed cable in multifamily dwellings, and making

Ordinance amending Articles 89, 100, 110, 210, 215, 220, 230, 250, 300, 333, 334, 336, 340, 348, 350, 352, 351, 348, 378, 331, 362, 384, 410, 411, 645, 700, 760, and 800 of the Electrical Code to make minor clerical changes for greater clarity, to extend the general requirement for headroom about panelboards to residential panelboards rated not more than 200 amps, to provide that equipment rated 1200 amps or more, regardless of width, requires an entrance to each end of the working space, to allow for non-metallic sheathed cable to be installed in multifamily dwellings with Type III, IV and V construction up to 4 stories in height, and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

8/16/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 10/6/2005.

PROPOSED RESOLUTIONS

051440 [Airport Equipment Maintenance and Operating Agreement]

Resolution approving Equipment Maintenance and Operating Agreement between San Francisco Terminal Equipment Company, LLC and the City and County of San Francisco, acting through its Airport Commission. (Airport Commission)

8/10/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051485 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

DIAGONAL (60-DEGREE ANGLE) PARKING - ESTABLISH
Ulloa Street, south side, from 33rd Avenue to 98 feet easterly (nine 60-degree parking spaces).

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Harriet Street, east side, from Ahern Way to Harrison Street.

TOW-AWAY, NO STOPPING, 4 PM - 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Masonic Avenue, west side, from Grove to Hayes Streets.

NO PARKING ANYTIME - ESTABLISH
Warren Drive, north side, from Blairwood Lane to 60 feet easterly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Gilman Avenue, north side, between Griffith and Hawes Streets.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Carolina Street, west side, from 23rd Street to 90 feet southerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Cambridge Street, south side, from Stoneyford Avenue to 20 feet westerly (replacing the existing visibility red zone).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
201 Telegraph Hill Boulevard (formally establishes perpendicular parking in front of this building);
275 to 285 Telegraph Hill Boulevard, along east side of Kearny Street right-of-way, from Telegraph Hill Boulevard to 39 feet northerly (5 perpendicular parking spaces); and,
18th Street, north side, between Potrero Avenue and Utah Street.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Gough Street, east side, between Colton and Otis Streets (Unit block).

YELLOW (COMMERCIAL LOADING) ZONES, 7 AM - 6 PM, EVERYDAY, TOW-AWAY, NO STOPPING ALL OTHER TIMES - ESTABLISH
7th Street, east side, between Market and Stevenson Streets.

1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
GENERAL METERED PARKING AREA 1 (1-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Stevenson Street, south side, between 5th and 6th Streets (400 block).

NO PARKING ANYTIME - ESTABLISH
Noriega Street, north side, from the western edge of the #616 Noriega Street driveway to the western edge of the #624 property line.

MUNI BUS ZONE - EXTEND
Bayshore Boulevard at Marengo Street, east side, from 60 feet to 100 feet north of Marengo Street (extend existing bus zone by 40 feet). (Parking and Traffic Department)

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3044.)

8/15/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 08/25/05 - Parking and Traffic notified to post required notices and ad placed in the 09/06/05 edition of the SF Chronicle.

051486 [STOP Intersections] Supervisor Elsbernd

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Buena Vista Avenue East at Duboce Avenue, making this intersection an All-Way STOP; and,
Teresita Boulevard and Stillings Avenue, stopping Teresita Boulevard, making this intersection an All-Way STOP. (Parking and Traffic Department)

(8/11/05: Categorically exempt from Environmental Review Class 1(c)(9)

changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3044.)

8/15/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 08/25/05 - Parking and Traffic notified to post required notices and ad placed in the 09/06/05 edition of the SF Chronicle.

Supervisor Elsbernd requested to be added as sponsor.

051487 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET - ESTABLISH
Flora Street, northbound, between Bayview and Thornton Streets; and, Pomona Street, southbound, between Bayview and Thornton Streets.

MID-BLOCK CROSSWALK - ESTABLISH
Alabama Street, between 24th and 25th Streets. (Parking and Traffic Department)

(8/11/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3044.)

8/15/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 08/25/05 - Parking and Traffic notified to post required notices and ad placed in the 09/06/05 edition of the SF Chronicle.

051496 [Recurring FY2005-2006 State grant funds to the Department of Public Health from the California Department of Health Services]

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY 2005-2006. (Public Health Department)

8/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051539 [Confirming the appointment of the Director of Transportation to the Transbay Joint Powers Authority]

Resolution confirming the appointment of the Director of Transportation to the Transbay Joint Powers Authority as the representative of the Municipal Transportation Agency Board of Directors, effective August 16, 2005. (Municipal Transportation Agency)

8/29/05, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

To: Director, Recreation and Parks Department

Requesting/Inquiring: Requesting that the Department of Public Works and the Recreation and Parks Department report on the feasibility of removing the graffiti on the walls around Koshland Park, which is at the intersection of Page Street and Buchanan Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic report on the feasibility of installing bulb-out curb extensions at the intersection of Fell Street and Broderick Street, adjacent to the new Broderick Plaza.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic report on the feasibility of rescinding the morning tow-away zone on Oak Street between Baker Street and Laguna Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requesting that the Department of Parking and Traffic and the Municipal Transportation Agency report on the status of re-painting the crosswalk at the intersection of Alma Street and Stanyan Street.

From: Supervisor Mirkarimi

To: Director, Recreation and Parks Department

Requesting/Inquiring: Requesting that the Recreation and Parks Department report on the status of providing dial-up Internet access at the Hayes Valley Playground.

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: Requesting that the City Attorney draft legislation establishing the San Francisco Hurricane Katrina Relief Fund for introduction at the September 13 Board of Supervisors meeting.

The

In Memoriams

Thomas Herrion - Supervisors Dufty and Ammiano

Brian Marquez - Supervisor Ammiano

Father Patrick Pearse McCarthy - Supervisor Elsbernd

Jerome J. Mahoney - Supervisor Elsbernd

Manuizo Pennington - Supervisor Mirkarimi

Xzavie George - Supervisor Mirkarimi

John Bernard Murphy - Supervisor Elsbernd

Claire Shea - Supervisor Sandoval

Gabriel Zavala-Diaz - Supervisor Sandoval

Harvey Wong - Supervisor Peskin

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:11 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 27, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express

support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAŸOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby Jr. by mail to Sunshine Ordinance Task Force, 1 Dr.

Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1649-2005 City & County of San Francisco. All rights reserved.

Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.
NOV 29 2005
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, September 20, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris*

Daly, Bevan Dufty, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *Sean Elsbernd.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll the Supervisors Elsbernd, Ma, and Sandoval were noted absent.

Supervisor Elsbernd was previously excused from attending today's meeting. (See Infra)

Supervisor Sandoval was noted present at 2:06 p.m.

Supervisor Ma was noted present at 2:08 p.m.

Quorum present.

Supervisor Elsbernd Excused from Attendance

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor Elsbernd from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ma
Excused: 1 - Elsbernd

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

051466 [Grant of Federal Funds - Municipal Transportation Agency] — Supervisor Ammiano

Resolution authorizing the Municipal Transportation Agency to accept and expend $497,050 of TEA 21 Section 3015 (Research, Development,

Demonstration, and Training Projects) capital assistance for an Alternative Fuel Technology Project, excluding administrative overhead costs.

Enacted Number: 675-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ma
Excused: 1 - Elsbernd

Severed from Consent Agenda

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately.

051361 [Professional services agreement to provide to perform professional engineering services]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute and amend a professional services agreement with URS Corporation for an amount not to exceed $12,000,000 to provide professional engineering services for the Calaveras Dam Replacement Project. (Public Utilities Commission)

(Fiscal impact.)

Enacted Number: 674-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

051511 [To appropriate general fund reserve to the Board of Supervisors for the Budget Analyst to perform a management audit of the Office of Emergency Services]

Supervisors Peskin, Mirkarimi

Ordinance appropriating $179,358 from the General Fund Reserve to the Board of Supervisors to pay the Budget Analyst to perform a management audit of the Office of Emergency Services for Fiscal Year 2005-2006.

(Fiscal impact.)

Amended to replace "$179,358" with "$179,385."

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

Ordinance appropriating $179,385 from the General Fund Reserve to the Board of Supervisors to pay the Budget Analyst to perform a management audit of the Office of Emergency Services for Fiscal Year 2005-2006.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

Recommendation of the Land Use Committee

051380 [Interdepartmental jurisdictional transfer of property] — Supervisors Dufty, Sandoval

Ordinance transferring jurisdiction of certain unimproved real property located on Roosevelt Way and Henry Street (Block 2612, Lot 50) from the Mayor's Office of Housing to the Recreation and Park Department.

Enacted Number: 230-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Elsbernd

From the Land Use Committee Without Recommendation

050852 [Ordering the vacation of a portion of Bernal Heights Boulevard]

Ordinance ordering the vacation of a portion of Bernal Heights Boulevard west of Moultrie Street; transferring jurisdiction from the Department of Public Works to the Recreation and Park Department; adopting environmental findings and findings that such actions are consistent with

the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance. (Real Estate Department)

(To be heard at a public hearing on September 13, 2005 at 3:00 p.m.)

Enacted Number: 229-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma
Excused: 1 - Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Committee

051378 [Sale of City Property located at 425 Mason Street, San Francisco]

Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance. (Real Estate Department)

(Fiscal impact.)

Continued to October 11, 2005

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051390 [Setting San Francisco's fiscal year 2005-2006 property tax rate and establishing pass-through rate for residential tenants] Supervisor Peskin

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051391 [Setting San Francisco Community College District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate] Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051392 [Setting San Francisco Unified School District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate] Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051393 [Setting San Francisco Bay Area Rapid Transit District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate] Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051352 [Outreach Advertising]

Resolution designating El Reportero and El Latino to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; China Press, World Journal, Sing Tao and Asian Week to be the outreach newspaper of the City and County for the Chinese community; San

Francisco Bay View to be the outreach newspaper for the African American community and, the Bay Area Reporter to be the outreach newspaper for the Lesbian Gay Bisexual and Transgender community, to provide outreach advertising services for the fiscal year commencing upon Board of Supervisors and Mayoral approval and ending June 30, 2006. (Office of Contract Administration)

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved to amend by deleting "Asian Week".

Motion moved to amend failed by the following vote:

Ayes: 4 - Daly, McGoldrick, Peskin, Sandoval

Noes: 6 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, Mirkarimi

Excused: 1 - Elsbernd

Enacted Number: 673-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

From the Budget and Finance Committee Without Recommendation

051406 [Lease of Real Property at One South Van Ness Avenue]

Resolution authorizing the exercise of an option to lease 34,683 square feet of space at One South Van Ness Avenue for the Municipal Transportation Agency of the City and County of San Francisco. (Real Estate Department)

Enacted Number: 669-05

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Ammiano, Daly
Excused: 1 - Elsbernd

Recommendation of the Government Audit and Oversight Committee

051454 [Authorizing a Change in Use of Grant Funds] Supervisor Daly

Ordinance authorizing a change in the use of San Francisco Convention and Facilities Department grant funds to permit the funds to be used for an affordable housing development without a proposed pavilion.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

Recommendations of the Land Use Committee

050456 [Planning Code - Section 311 Notification] Supervisor McGoldrick

Ordinance amending the San Francisco Planning Code by amending Section 311 to clarify that the project notification requirements apply to building permits for demolition and change in the number of dwelling units as well as to building permits for new construction and alteration and to require that the notification package sent to neighboring property owners include specified information; adopting environmental findings and findings pursuant to Planning Code Section 302.

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

050829 [Requiring baby diaper-changing accommodations in new Public-Serving and Substantially Renovated Public-Serving Establishments] Supervisor Sandoval

Ordinance amending the Planning Code by adding Section 166 to require that new public-serving establishments and substantially renovated public-serving establishments install baby diaper-changing accommodations; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051218 [Public Works Landmark Trees]

Resolution approving designation of four (4) tree locations for Landmark Status because of their historical significance, aesthetic qualities, or contribution to the City's overall character. (Public Works Department)

Enacted Number: 670-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

041275 [Public Hearing - Appeal of Revised Certificate of Determination of Exemption from Environmental Review - American Buddhist Cultural Society Building located at 1730-1750 Van Ness Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add approximately 16,798 gross square feet (gsf) to the existing building for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019. (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

(Filed September 9, 2004; companion measure to Files 041276, 041277, 041278; District 3.)

The President inquired as to whether or not any member of the public wished to address the Board.

There were none.

The President declared the public hearing closed.

Supervisor Mirkarimi, seconded by Supervisor Ma, moved that this Hearing be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Elsbernd

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the certification of determination of exemption/exclusion from environmental review decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

041276 [Affirming the categorical exemption issued for 1730-1750 Van Ness Avenue]

Motion affirming the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Ma, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

041277 [Disapproving the categorical exemption issued for 1730-1750 Van Ness Avenue]

Motion disapproving the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Ma, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

041278 [Preparation of findings related to the categorical exemption issued for 1730-1750 Van Ness Avenue]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Ma, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

SPECIAL ORDER 4:00 P.M.

051222 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 899 North Point Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Sections 15303(b) and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3). The proposed project would involve the demolition of a vacant gas station building, approximately 1,650 square feet in size, and construction of a four-story, five-unit residential building. The proposed project would provide seven off-street parking spaces on the ground floor. Entrance and access to the residential units would be from Larkin Street and vehicular entrance and access would be from North Point Street. The project site at 899 North Point Street (Assessor's Block 0026, Lot 020) is approximately 5,469 square feet in size and located on the southeastern corner of North Point and Larkin Streets in the Russian Hill neighborhood on the block bounded by Larkin, North Point, Hyde and Bay Streets. The project site is zoned RH-3 (Residential, House, Three-Family) and is within a 40-X height and bulk district. The project site is also located in the Waterfront Special Use District No. 2, per Section 240.2 of the San Francisco Planning Code. (Appellant: Stephen M. Williams.)

(Filed June 17, 2005; companion measure to Files 051223, 051224, 051225; District 2.)

Continued to October 11, 2005

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051223 [Affirming the categorical exemption issued for 899 North Point Street]

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to October 11, 2005

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051224 [Disapproving the categorical exemption issued for 899 North Point Street]

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to October 11, 2005

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051225 [Preparation of findings related to the categorical exemption issued for 899 North Point Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to October 11, 2005

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

SPECIAL ORDER 4:00 P.M.

051402 [Public Hearing - Appeal of Categorical Exemption for 3350 20th Street (Quonset Hut

structure)]

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 7, 2004, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Section 15301 (l) (3), the demolition of a small commercial structure. The proposed project involves the demolition of the Quonset Hut structure located at at 3350 20th Street, Assessor's Block 3594, Lot 15. (Appellant: Sue C. Hestor, Attorney, representing Mission Anti-Displacement Coalition).

The President inquired as to whether or not any member of the public wished to address the Board.

Appellant withdrew the CEQA appeal.

The President declared the public hearing closed.

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved that this Hearing be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051403 [Affirming the categorical exemption issued for 3350 20th Street]

Motion affirming the determination by the Planning Department that the 3350 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051404 [Disapproving the categorical exemption issued for 3350 20th Street]

Motion disapproving the determination by the Planning Department that the 3350 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051405 [Preparation of findings related to the categorical exemption issued for 3350 20th Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 3350 20th Street Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

COMMITTEE REPORTS

From the Rules Committee

051033 [Additional Eligibility Requirements to Participate in Public Financing Program for Candidates for the Board of Supervisors] Supervisor Elsbernd

Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code, by amending section 1.140 to disqualify any candidate with outstanding fines or penalties for violations of state or local campaign finance laws from participation in the public finance program and to render ineligible for participation for five years candidates found by a court to have knowingly, willfully or intentionally violated state or local campaign finance laws.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051151 [Application of the City's Conflict of Interest Laws to Members of Certain Advisory Bodies] Supervisor Peskin

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding section 3.203 to apply the City's conflict of interest laws to members of advisory bodies who are required to file statements of economic interests.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051327 [Appointment - Asthma Task Force]

Resolution appointing Kimberley Knox, term ending June 30, 2007, to the Asthma Task Force.

Kimberley Knox, succeeding Lucille Valdivia, resigned, seat 22, must be an individual who represents tenant interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2007.

Enacted Number: 671-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051330 [Appointment - Golden Gate Bridge, Highway and Transportation District]

Resolution appointing Lynne Newhouse Segal, term ending January 31, 2007, to the Board of Directors, Golden Gate Bridge, Highway and Transportation District.

Lynne Newhouse Segal, succeeding Maryanne Harrison, deceased, seat 4, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for the unexpired portion of a two-year term ending January 31, 2007.

Enacted Number: 672-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Elsbernd

051498 [Appointment - Assessment Appeals Board No. 1]

Resolution appointing Diane Robinson and Stephen Wasserman, terms ending September 1, 2008, to the Assessment Appeals Board No. 1.

Diane Robinson, succeeding herself, term expired, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant (CPA) or public accountant (PA); licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, or property appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending

September 1, 2008. Stephen Wasserman, succeeding Carol Ruth Silver, resigned, seat 7 (ALTERNATE/HEARING OFFICER), must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant (CPA) or public accountant (PA); licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, or property appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 1, 2008.

Enacted Number: 676-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051499 [Appointment - Assessment Appeals Board No. 2]

Resolution appointing Calvin Abe, term ending September 4, 2006, and Joseph Tham, term ending September 1, 2008, to the Assessment Appeals Board No. 2.

Calvin Abe, succeeding Richard Lee, resigned, seat 7 (ALTERNATE/HEARING OFFICER), must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant (CPA) or public accountant (PA); licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, or property appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 4, 2006. Joseph Tham, succeeding himself, term expired, seat 8 (ALTERNATE/HEARING OFFICER), must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant (CPA) or public accountant (PA); licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, or property appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 1, 2008.

Enacted Number: 677-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

From the Budget and Finance Committee

051500 [Public Education Enrichment Fund] Supervisor Ammiano

Resolution approving the San Francisco Unified School District revised expenditure plans for the Public Education Enrichment Fund.

(Fiscal impact.)

Enacted Number: 678-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

James Chaffee; expressed concern with issues relating to the SF Public Library

Stephen Dreyfus; expressed concern with issues relating to street artists permits

John DiDonna; expressed concern with several issues including right wing individuals

Paul Hayward; expressed concern with issues relating to street artists permits

Armando Rios, CPMC worker; expressed concern with issues relating to the CPMC strike

Julito, CPMC worker; expressed concern with issues relating to the CPMC strike

David Hart, CPMC worker; expressed concern with issues relating to the CPMC strike

Eugene Gordan Jr.; expressed concern with general issues

Walter; expressed concern with general issues

Video shown concern regarding parking regulations on California Street and Emmett Condon, Lincoln Park Neighborhood Association; expressed concern with issues relating to Burke School

James Arga, Presdent of the Lincoln Park Neighborhood Association; expressed concern with issues relating to Burke School

Male Speaker; expressed concern with issues relating to Burke School

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051560 [Emergency Disadvantaged Business Enterprise Program - September 27, 2005, Committee of the Whole] Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on September 27, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Enacted Number: M05-123

APPROVED

051567 [Accept-Expend Federal Grant - Department of Parking and Traffic] Supervisor Mirkarimi

Resolution authorizing the Department of Parking and Traffic to retroactively accept and expend a grant in the amount of $500,000 from the Metropolitan Transportation Commission (MTC) to integrate the SFgo Transportation Management Center (TMC) with Caltrans District 4 in Oakland and 511 to exchange real-time transportation information.

Enacted Number: 679-05

ADOPTED

051568 [Accept-Expend Federal/State Pass Through Grant - Department of Public Library] Supervisors Alioto-Pier, Dufty

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $17,447 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.

Enacted Number: 680-05

ADOPTED

051571 [Supporting Gay Marriage AB849] Supervisors Ammiano, Dufty, Daly, Sandoval, Mirkarimi

Resolution declaring support for eliminating legal discrimination against same-sex couples in the provision of civil marriage licenses and further supporting The Religious Freedom and Civil Marriage Protection Act, AB849 and further urging the Governor of California, Arnold Schwarzenegger to sign The Religious Freedom and Civil Marriage Protection Act to protect all families of California.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 681-05

ADOPTED

051573 [Declaring September 24, 2005 as Grand Duchess Sophilya Leggz and Grand Duke Mike Manicotti Day] Supervisor Ammiano

Resolution declaring September 24, 2005 as Grand Duchess Sophilya Leggz and Grand Duke Mike Manicotti Day in the City and County of San Francisco.

Enacted Number: 682-05

ADOPTED

051574 [Accept and Expend Grant - Sheriff's Department] Supervisor Maxwell

Resolution authorizing the Sheriff's Department to accept and expend a continuation grant in the amount of $76,283 from the Private Industry Council of San Francisco for providing employment and education services to young offenders and after their release from the county jail.

Enacted Number: 683-05

ADOPTED

051575 [Honoring Richmond Area Multi-Services, Inc. (RAMS)] Supervisor McGoldrick

Resolution honoring Richmond Area Multi-Services, Inc. (RAMS) for their commitment and contributions to the San Francisco community.

Enacted Number: 684-05

ADOPTED

051576 [Commending Founders of the First Annual Supervisor Mirkarimi

Fulton Street Fair]

Resolution commending the Alamo Square Neighborhood Association and the Third Baptist Church for founding the First Annual Fulton Street Fair (aka "The Love Connection").

Enacted Number: 685-05

ADOPTED

051578 [Declaring October 3, 2005 "B.K.S. Iyengar Day" in San Francisco] Supervisor Peskin

Resolution declaring October 3, 2005 "B.K.S. Iyengar Day" in San Francisco.

Enacted Number: 686-05

ADOPTED

051579 [Commending Lee Blitch] Supervisor Peskin

Resolution commending Lee Blitch for his invaluable contributions to the City and County of San Francisco.

Enacted Number: 687-05

ADOPTED

051577 [Waiver Permitting City Employees to Assist the Department of Elections with the November 8, 2005 election] Supervisor Peskin

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 8, 2005 election.

Enacted Number: M05-122

APPROVED

051555 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-121

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

Severed from the Without Reference to Committee Agenda

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

051572 [SFUSD Labor-Management Dispute] Supervisors Ammiano, Ma

Resolution urging the San Francisco Board of Education and the San Francisco Unified School District Superintendent, Arlene Ackerman, to seek all avenues available to resolve the current labor and management dispute, including finding a informal or local mediator and utilizing portions of Proposition H, the Public Education Enrichment Fund, to fund salaries for the lowest paid and most vulnerable School District employees.

Continued to September 27, 2005

CONTINUED.

Supervisor Maxwell requested that this matter be severed so that it might be considered separately.

051580 [Urging SFUSD Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package] Supervisor Sandoval

Resolution urging San Francisco Unified School District Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package.

Supervisor Maxwell requested that this matter be referred to Committee.

REFERRED to the City and School District Select Committee.

[Serious Injury Finding] Motion that the Board find that for the resolution (s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Daly, seconded by Supervisor Dufty, moved ADOPTION of the Serious Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051611 [St. Luke's and CPMC Affiliation Agreement] Supervisors Ammiano, Peskin, Mirkarimi, McGoldrick, Alioto-Pier, Ma, Daly

Resolution urging the Boards of Directors of both St. Luke's Hospital and the California Pacific Medical Center to postpone their vote on the new Affiliation Agreement until the Board of Supervisors has scheduled a hearing to consider the financial, social justice and public health implications of key elements of the agreement.

Enacted Number: 688-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor McGoldrick, moved ADOPTION of the Commendatory Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor McGoldrick, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051612 [Commending George Galloway] Supervisors Daly,

Mirkarimi

Resolution commending George Galloway, Member of Parliament for Bethnal Green and Bow, UK, and author of "Galloway Goes to Washington," for his efforts to promote peace in Iraq through his "Stand Up and Be Counted" tour.

Enacted Number: 689-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051260 [Medical cannabis guidelines and medical cannabis dispensary zoning and permitting] Supervisor Sandoval

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.131, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house and residential-mixed zoning districts; permit dispensaries elsewhere subject to restrictions based on a dispensary's proximity to schools, community centers and institutions for the treatment of addictive diseases and subject, in some areas of the City, to the granting of a conditional use permit; require adequate ventilation in dispensaries; prohibit the sale or distribution of alcohol at dispensaries; require Planning Department notice to interested individuals and properties within 300 feet of proposed dispensaries; require dispensaries operating before April 1, 2005 to obtain a permit within 18 months of the effective date of this legislation or cease operation; require a notice that permits for dispensaries are not intended to and do not authorize the violation of State or Federal law; and make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan;
Amending the San Francisco Health Code by adding Sections 3200 through 3220, to: set medical marijuana possession guidelines; require a permit, business license, and business registration certificate for a medical cannabis dispensary; set out the application process for a medical cannabis permit; set out operating requirements for medical cannabis dispensaries; and set out the administrative process for imposing penalties and/or permit suspension or revocation for violations;
Amending the San Francisco Traffic Code by amending Sections 53 and 132, to create an infraction for double parking in front of a medical cannabis dispensary and set the fine at $100; and,
Amending the San Francisco Business and Tax Regulations Code by amending Section 1, and by adding Sections 1.177 and 249.17, to authorize the

Department of Health to issue medical cannabis dispensary permits and to set out the license fees for medical cannabis dispensaries.

(Fiscal impact.)

6/28/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/28/2005.

7/8/05, REFERRED TO DEPARTMENT. Referred to Planning Department for review and comment.

8/30/05, RESPONSE RECEIVED. Planning Department Certificate of Determination of exemption/exclusion from environmental review.

9/19/05, RESPONSE RECEIVED. Planning Commission Resolution No. 17104 with no recommendation and Planning Department executive summary.

9/20/05, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing new title.

9/20/05, ASSIGNED to Land Use Committee.

051604 [Payroll Expense Tax Exclusion for Persons Who Hire the Disabled and the Homeless] Supervisor Alioto-Pier

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for persons who hire the disabled and the homeless, as specified.

(Fiscal impact.)

9/20/05, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/20/2005.

051605 [Penalties related to dog licensing] Supervisor Dufty

Ordinance amending Article 1, Section 41.25 of the San Francisco Health Code by increasing penalties imposed for failing to license a dog or obtain a young dog certificate from not less than $25 nor more than $50 to exactly $100; and making environmental findings.

9/20/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 10/20/2005.

051606 [Penalties related to vicious and dangerous dogs] Supervisor Dufty

Ordinance amending Article 1, Section 42.2 of the San Francisco Health Code to transfer authority for registration of vicious and dangerous dogs from the Department of Public Health to the Department of Animal Care & Control, increase the vicious and dangerous dog registration fee from $50 to $250, allow for microchipping as an alternative form of permanent identification for dogs, and clarify standards for outdoor enclosures; amending Section 42.3 to adjust hearing deadlines for vicious and dangerous dog hearings; and amending Section 42.4 making a second or subsequent violation within any 12-month period from the initial incident punishable as a misdemeanor, and to allocate dog registration fees and fines collected for violations of Sections 42 through 42.3 to the Department of Animal Care & Control for enforcement of the vicious and dangerous dog program; and making environmental findings.

9/20/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 10/20/2005.

051607 [Mandating the spaying and neutering of pit bulls and prohibiting non-permitted breeding of pit bulls] Supervisor Dufty

Ordinance amending Article 1 of the San Francisco Health Code by: adding Section 43, to define pit bull and to create a procedure for determining breed; adding Section 43.1, to require every pit bull in the City and County of San Francisco to be spayed or neutered unless one of the enumerated exceptions apply; adding Section 43.2, to establish fines of $100 to $1000 for failing to spay or neuter, to limit an owner from redeeming an impounded unspayed or unneutered pit bull, to provide a procedure for the Department of Animal Care and Control to spay or neuter a pit bull upon a deposit of $100 with an ultimate fee of the actual expenses incurred, and to set a fee of $60 for Animal Care and Control to transport a pit bull to a private veterinarian for spaying or neutering; adding Section 43.3, to allocate fines to the Department of Animal Care and Control; adding Section 43.4 to provide an operative date; adding Section 44, to provide permit requirements for the breeding and/or transferring ownership or possession of pit bull puppies within the City and County of San Francisco; adding Section 44.1, to create a permit procedure including standards for granting or denying a permit and establish a permit fee of $100; adding Section 44.2, to create a procedure for revoking a permit; adding Section 44.3, to require posting of permit numbers on any offer of sale, trade or adoption and to require permit holders to inform the Department of Animal Care and Control of the number of puppies born and transfer of ownership or possession of puppies; adding Section 44.4, to create fines of $100 to $1000 for failure to comply with permit requirements; adding Section 44.5, to allocate fines to the Department of Animal Care and Control; adding Section 44.6, to define exceptions to the breeding permit posting requirements; adding Section 44.7 to provide an operative date; and making environmental findings.

9/20/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 10/20/2005.

051614 [Establishing the Hurricane Katrina Relief Fund to receive donations to pay for relief to victims of the Hurricane Katrina of 2005] Supervisor Maxwell

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-291 to establish the San Francisco Hurricane Katrina Relief Fund to receive donations from employees, and private and public grants and appropriations, gifts and bequests to be used for relief to victim of Hurricane Katrina of 2005.

9/21/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

051580 [Urging SFUSD Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package] Supervisor Sandoval

Resolution urging San Francisco Unified School District Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package.

9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

9/20/05, REFERRED to City and School District Select Committee. Supervisor

Maxwell requested that this matter be referred to Committee.

051609 [Mortgage Credit Certificates] Supervisor Ma

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

9/20/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be scheduled for consideration at the September 29, 2005 meeting.

051615 [Housing assistance for people with HIV/AIDS displaced by the Hurricane Katrina] Supervisors Ammiano, Dufty

Resolution stating that the City and County of San Francisco will provide housing assistance for the 8,000 people with HIV/AIDS who have been displaced by the Hurricane Katrina disaster in Louisiana and Mississippi.

9/20/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051616 [Commending East Bakersfield High School Journalists] Supervisor Ammiano

Resolution commending East Bakersfield High School Journalism Department and student journalists for their courage in attempting to publish a series of news articles in their school newspaper on the lives of gay youth and for fighting for their first amendment rights to overturn the prohibition imposed by school administrators to censor publication of the news series.

9/20/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051617 [Declaring October 2005 to be "Domestic Violence Awareness Month"] Supervisor Ma

Resolution declaring October 2005 to be "Domestic Violence Awareness Month" in the City and County of San Francisco.

9/20/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051618 [Accept-Expend Gift - San Francisco Public Library] Supervisors Mirkarimi, Sandoval, Maxwell, Ma, Elsbernd

Resolution authorizing the Library to accept and expend up to $16 million from the Friends of the San Francisco Public Library for furniture, fixtures, equipment and other costs related to the Branch Library Improvement Program.

9/20/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 9/22/05 - Supervisor Sandoval requested to be added as a co-sponsor. 9/23/05 - Supervisor Maxwell requested to be added as a co-sponsor.

051619 [Interim Report on Traffic Flow and Pedestrian Safety on Octavia Boulevard] Supervisor Mirkarimi

Resolution urging the San Francisco Department of Parking and Traffic to deliver an interim report by October 5, 2005 concerning traffic flow and pedestrian safety on Octavia Boulevard and its adjoining freeway off-ramp.

9/20/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051620 [Tree Disclosure Statement] Supervisor McGoldrick

Resolution instructing the Planning Department to require a Tree Disclosure Statement as part of all building permit applications that include exterior work, demolition or grading.

9/20/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051621 [Zoning - Extension of Planning Commission Review Period - Better Neighborhoods Plan] Supervisor McGoldrick

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

9/20/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051622 [Endorsing Statewide Ballot Measure] Supervisor Peskin

Resolution endorsing the passage of California State Proposition 79, the "Cheaper Prescription Drugs for California Act", and urging the defeat of California State Proposition 78, sponsored by major pharmaceutical manufacturers.

9/20/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051623 [Honoring Michael Lane] Supervisors Peskin, Dufty, Maxwell, Alioto-Pier, Elsbernd

Resolution honoring Michael Lane for his many contributions to the City and County of San Francisco and proclaiming October 4, 2005 as Michael Lane Day.

9/20/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051624 [Declaring the week of October 2-9 Howl Week in the City and County of San Francisco] Supervisor Peskin

Resolution declaring the week of October 2-9 Howl Week in the City and County of San Francisco to commemorate the 50th anniversary of the first reading of Allen Ginsberg's classic American poem about the Beat Generation.

9/20/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051625 [Commending the League of California Cities-Latino Caucus] Supervisor Sandoval

Resolution commending the League of California Cities-Latino Caucus for its work advocating for and improving the quality of life of Latinos in California and extending congratulations to Los Angeles City Council President Alex Padilla on becoming President of the League of California Cities.

9/20/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearings

051608 [Functions of a County Agricultural Commissioner-Sealer of Weights and Measures and status of enforcement of San Francisco Police Code Sections 4901-4914] Supervisor McGoldrick

Hearing to review the functions of a County Agricultural Commissioner - Sealer of Weights and Measures and to review the status of enforcement of San Francisco Police Code Sections 4901-4914.

9/20/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051610 [Treasure Island Development Authority (TIDA)] Supervisor Daly

Hearing on the status of the Treasure Island Development Authority (TIDA) as an independent agency and of the Exclusive Negotiating Agreement (ENA), to determine the following: (1) The leadership crisis at TIDA. Who is in charge. (2) The status of TIDA as an independent redevelopment agency. (3) The status of the existing Exclusive Negotiationg Agreement (ENA) and its proposed extension with the developer.

9/20/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be scheduled at the September 26, 2005 meeting.

051613 [Implementation of pedestrian safety and traffic calming measures around the opening of the Octavia freeway entrance at Market Street] Supervisor Dufty

Hearing on the implementation of pedestrian safety and traffic calming measures around the opening of the Octavia freeway entrance at Market Street, as directed by the Board of Supervisors Resolution No. 040912.

9/20/05, RECEIVED AND ASSIGNED to Land Use Committee.

051626 [Hearing - St. Luke's and CPMC Affiliation Agreement] Supervisor Ammiano

Hearing to inquire into the fiscal, social justice and public health implications of the Affiliation Agreement between the Boards of Directors of St. Luke's Hospital and the California Pacific Medical Center.

9/20/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED ORDINANCES

051521 [Designate 150 Otis Street, the Juvenile Court

and Detention Home, as Landmark No. 248]

Ordinance designating 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

9/7/05, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

051530 [Airport Public Parking Services Proposition]

Resolution approving the Controller's certification that Airport Public Automobile Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

(Fiscal impact.)

9/9/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051531 [Airport Employee Parking Services Proposition J]

Resolution approving the Controller's certification that Airport Employee Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

(Fiscal impact.)

9/9/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051532 [Report of assessment costs for sidewalk and curb repairs - 534 Octavia Street]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

(DPW Order No. 175,586; Location: 534 Octavia Street.)

9/12/05, SCHEDULED FOR PUBLIC HEARING to Board of Supervisors. Scheduled for public hearing October 25, 2005, at 3:00 p.m.

051533 [Contract between the Department of Public Health and Accordis, Inc. to provide retroactive claiming of aged accounts services]

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to continue a contract between the City and County of San Francisco and Accordis, Inc. to provide retroactive claiming of aged accounts services for the period of July 1, 2004 through June 30, 2008. (Public Health Department)

(Fiscal impact.)

9/12/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051594 [Confirming appointment of Hunter Stern to the Municipal Transportation Agency Board of Directors] Mayor

Resolution confirming the appointment of Hunter Stern to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2009.

9/13/05, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Supervisor Mirkarimi requests that the Municipal Transportation Agency answer the following questions related to Octavia Boulevard:

1) Please describe the current model for moving traffic through Octavia Boulevard to/from Oak/Fell and the Central Freeway.

2) What collisions have been observed so far?

3) How does the department intend to use data gathered from studying those collisions to inform a new traffic regimen for the system?

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Supervisor Mirkarimi requests that the Department of Parking and Traffic report on the status of the crosswalk at Kezar and Lincoln within 30 days.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Supervisor Mirkarimi requests that the Department of Parking and Traffic and the Municipal Transportation Agency report on pedestrian, bicycle, and traffic safety concerns at the intersection of Market St. and Octavia Blvd. assessing methods to increase safety and decrease exposure of risk created by approaching motorists. This is especially to include crossing hazards in all directions and the notice to drivers to decrease speed from the Hwy 101 off-ramp and Octavia Blvd. on-ramp.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Supervisor Mirkarimi requests that the Department of Parking and Traffic report on the status of repairing the pothole at 33-35 Lincaln St.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Supervisor Mirkarimi requests that the Department of Parking and Traffic

In Memoriams

Sharon Bretz - Entire Board

Timothy Powers - Supervisor Dufty

Simon Wiesenthal - Entire Board

Carol M. Haward - Supervisor Sandoval

Diana J. "La La" Pavia - Supervisor Sandoval

Barbara M. Duby - Supervisor McGoldrick

Hilario Moreno Demeza - Supervisor Ammiano

Pastor Estrada - Supervisor Ammiano

Liset Estrada - Supervisor Ammiano

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:45 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Baard of Supervisars on the matters stated, but not necessarily the chronalogical sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 11, 2005.

I, Glaria L. Young, Clerk of the Baard of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Baard on the date stated and was approved as

recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness,

multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby Jr. by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999-2005 City & County of San Francisco. All rights reserved.

Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, September 27, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick,*

Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll Supervisors Alioto-Pier and Sandoval were noted absent.

Supervisor Sandoval was noted present at 2:11 p.m.

Supervisor Alioto-Pier was noted present at 2:12 p.m.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved to approve the September 6, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Alioto-Pier, Sandoval

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

051390 [Setting San Francisco's fiscal year 2005-2006 property tax rate and establishing pass-through rate for residential tenants] — Supervisor Peskin

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2006.

(Fiscal impact.)

Enacted Number: 228-05

FINALLY PASSED

051391 [Setting San Francisco Community College District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate] Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

Enacted Number: 227-05

FINALLY PASSED

051392 [Setting San Francisco Unified School District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate] Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

Enacted Number: 226-05

FINALLY PASSED

051393 [Setting San Francisco Bay Area Rapid Transit District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate] Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

Enacted Number: 225-05

FINALLY PASSED

050645 [Amendment of Contract between Ciber, Inc. and the City and County of San Francisco for Computer-related Services] Supervisor Daly

Resolution authorizing the Committee on Information Technology and Purchaser to amend the contract between Ciber, Inc. and the City and

County of San Francisco for computer-related services by increasing the amount of the contract from an amount not to exceed $9,999,999 to an amount not to exceed $25,000,000.

(Fiscal impact.)

Enacted Number: 691-05
ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

051060 [Liquor License, 85 Campton Place]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 303 Filbert Street to 85 Campton Place to RHS Partners, LLC for 85 Campton Place will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 717-05
ADOPTED

051336 [Street Improvements on 25th Avenue] Supervisor McGoldrick

Resolution requesting that the Municipal Transportation Agency and Department of Public Works, work with the 25th Avenue Neighborhood Association to address, improve, and enhance conditions on 25th Avenue, and to expend funds as feasible and necessary to meet those ends.

Enacted Number: 720-05
ADOPTED

051353 [Liquor License, 230 West Portal Ave.] Supervisor Elsbernd

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Eclectic Cup, LLC, for Que Syrah located at 230 West Portal Ave., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code, with conditions.

Supervisor Elsbernd requested to be added as sponsor.

Enacted Number: 716-05
ADOPTED

051355 [Liquor License, 50 Mason Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Bakhshish Kaur, for San Francisco Comedy Club located at 50 Mason Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 715-05

ADOPTED

051373 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO PARKING, 10 PM TO 6 AM, EVERYDAY - ESTABLISH
Alemany Boulevard, both sides, between Sagamore and Crystal Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Red Rock Way, from the driveway of #15 and #55 Red Rock Way driveway to 34 feet northerly and from the same driveway to 27 feet westerly.

NO PARKING ANYTIME - RESCIND
Wright Street, north side, from Holladay Avenue to Montcalm Street

RED (NO PARKING ANYTIME) ZONE - ESTABLISH
Montcalm Street, east side, from 126 feet north of York Street to 55 feet northerly

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Washburn Street, east side, from 56 feet to 120 feet north of Howard Street

RESIDENTIAL PERMIT PARKING AREA "L" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Rossi Avenue, west side, between Anza Street and Turk Boulevard (Unit block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lincoln Way, north side, from 41st Avenue to 100 feet easterly.

RESIDENTIAL PERMIT PARKING "A" AND "C" - RESCIND
PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Broadway, south side, from Powell Street to 80-feet westerly

PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM MONDAY THROUGH SATURDAY) - RESCIND
PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 7 AM - 7 PM EVERYDAY) - ESTABLISH
Bay Street, south side, between Taylor and Mason Streets.

PARKING METERS, AREA NO. 4, (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND

PARKING METERS, AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM MONDAY THROUGH SATURDAY) - ESTABLISH
Mason Street, west side, from Bay Street to 65 feet southerly.

PARKING METERS, 2-HOUR, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Bryant Street, west side, between 18th and Mariposa Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Larkin Street, west side, between the north and south Fulton Street crosswalks.

TOUR BUS PARKING ONLY (15- MINUTE PARKING TIME LIMIT), 8 AM - 6 PM, EVERYDAY - ESTABLISH
Fulton Street, north side, between 115 feet east of Larkin Street and 125 feet west of Hyde Street (adds time limit to existing zone). (Parking and Traffic Department)

(7/27/05:Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

Enacted Number: 714-05
ADOPTED

051374 [STOP Intersections]
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
20th Avenue and Pacheco Street, stopping Pacheco Street at 20th Avenue, making this intersection an All-Way STOP;
La Playa and Judah Streets, stopping northbound La Playa Street, south of the Judah intersection in front of 1400 La Playa Street; and,
La Playa and Judah Streets, stopping westbound Judah Street at La Playa Street on the south side of 1396 La Playa Street. (Parking and Traffic Department)

(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

Enacted Number: 713-05
ADOPTED

051375 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET - ESTABLISH
Wright Street, from Montcalm Street to Holladay Avenue, eastbound

MULTIPLE LEFT TURN LANES - RESCIND
Main Street, northbound, at Market Street (Parking and Traffic Department)

(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

Enacted Number: 712-05
ADOPTED

051410 [Parking Regulations] Supervisor McGoldrick

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Stanyan Street, west side, from 118 feet to 275 feet south of Fulton Street

(8/4/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 711-05
ADOPTED

051411 [Traffic Regulations] Supervisor McGoldrick

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT - RESCIND
Stanyan Street, west side, from Fulton Street to 120 feet northerly

NO LEFT TURN, 4 PM TO 6 PM - RESCIND
NO LEFT TURN, 11 AM TO 6 PM, EVERYDAY, EXCEPT TAXIS - ESTABLISH
Fulton Street, eastbound and westbound, at Stanyan Street

NO LEFT TURN - ESTABLISH
Fulton Street, eastbound, at 10th Avenue

(8/4/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 710-05
ADOPTED

051486 [STOP Intersections] Supervisor Elsbernd

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Buena Vista Avenue East at Duboce Avenue, making this intersection an All-Way STOP; and,
Teresita Boulevard and Stillings Avenue, stopping Teresita Boulevard, making this intersection an All-Way STOP. (Parking and Traffic Department)

(8/11/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3044.)

Enacted Number: 707-05
ADOPTED

051496 [Recurring FY2005-2006 State grant funds to the Department of Public Health from the California Department of Health Services]

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY 2005-2006. (Public Health Department)

Enacted Number: 705-05
ADOPTED

051506 [Improve HIV/AIDS treatment and prevention services in San Francisco] Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $1,488,000 from the Department of Health and Human Services, Centers for Medicare and Medicaid Services (DHHS,CMMS) to improve HIV/AIDS treatment and prevention services in San Francisco and to enter into an agreement for the use of these funds; for the period of July 1, 2005 to June 30, 2006.

Enacted Number: 704-05
ADOPTED

051507 [Contract funds to participate in the traineeship for AIDS prevention studies at the University of California at San Francisco Center on AIDS Prevention] Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the University of California San Francisco, Center on AIDS Prevention Studies (UCSFCAPS) the primary contractor, and expend funds in the amount of $6,624 in order to participate in the traineeship for AIDS prevention studies (TAPS) at

UCSFCAPS for the two month period of July 1, 2005, through August 31, 2005.

Enacted Number: 703-05
ADOPTED

051517 [To provide trauma and burn care supplies to the San Francisco General Hospital Trauma Center cache] Supervisor Ma

Resolution authorizing the San Francisco Department of Public Health, San Francisco County EMS Agency (SFDPH,EMS) to accept retroactively and expend a grant in the amount of $127,272 from the State Emergency Medical Services Authority (SEMSA) to provide trauma and burn care supplies to the San Francisco General Hospital Trauma Center cache and to enter into an agreement for the use of these funds; for the period of June 6, 2005 through October 31, 2005.

Enacted Number: 702-05
ADOPTED

051518 [To provide health education services to youth in San Francisco] Supervisor Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $127,000 from the State Office of Family Planning (SOFP) for health education services to youth in San Francisco and to enter into an agreement for the use of these funds; for the period of July 1, 2005, through June 30, 2006.

Enacted Number: 701-05
ADOPTED

Recommendation of the Government Audit and Oversight Committee

051454 [Authorizing a Change in Use of Grant Funds] Supervisor Daly

Ordinance authorizing a change in the use of San Francisco Convention and Facilities Department grant funds to permit the funds to be used for an affordable housing development without a proposed pavilion.

Enacted Number: 232-05
FINALLY PASSED

Recommendation of the Land Use Committee

050829 [Requiring baby diaper-changing accommodations in new Public-Serving and Substantially Renovated Public-Serving Establishments] Supervisor Sandoval

Ordinance amending the Planning Code by adding Section 166 to require that new public-serving establishments and substantially renovated public-serving establishments install baby diaper-changing accommodations; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 233-05

FINALLY PASSED

Recommendations of the Rules Committee

051033 [Additional Eligibility Requirements to Participate in Public Financing Program for Candidates for the Board of Supervisors] Supervisor Elsbernd

Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code, by amending section 1.140 to disqualify any candidate with outstanding fines or penalties for violations of state or local campaign finance laws from participation in the public finance program and to render ineligible for participation for five years candidates found by a court to have knowingly, willfully or intentionally violated state or local campaign finance laws.

Enacted Number: 236-05

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Alioto-Pier

Severed From the Consent AGenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

051467 [CalHome Application] Supervisor Elsbernd

Resolution authorizing the submittal of an application to the California Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

Amended on page 1, line 20 to replace "$1,000,000" with "$750,000."

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

051151 [Application of the City's Conflict of Interest Laws to Members of Certain Advisory Bodies] Supervisor Peskin

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding section 3.203 to apply the City's conflict of interest laws to members of advisory bodies who are required to file statements of economic interests.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Ordinance be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

051511 [To appropriate general fund reserve to the Board of Supervisors for the Budget Analyst to perform a management audit of the Office of Emergency Services] Supervisors Peskin, Mirkarimi

Ordinance appropriating $179,385 from the General Fund Reserve to the Board of Supervisors to pay the Budget Analyst to perform a management audit of the Office of Emergency Services for Fiscal Year 2005-2006.

Enacted Number: 231-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use Committee

050456 [Planning Code - Section 311 Notification] Supervisor McGoldrick

Ordinance amending the San Francisco Planning Code by amending Section 311 to clarify that the project notification requirements apply to building permits for demolition and change in the number of dwelling units as well as to building permits for new construction and alteration and to require that the notification package sent to neighboring property owners include specified information; adopting environmental findings and findings pursuant to Planning Code Section 302.

Enacted Number: 234-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

Recess

The Board recessed at the hour of 2:33 p.m.

Reconvening of the Board

The Board reconvened at the hour of 2:40 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick. Mirkarimi, Peskin, Sandoval - 11

051005 [Cable Television Franchise Amendments] Mayor

Ordinance amending Ordinance No. 105-64, as amended by Ordinance Nos. 528-88, 315-89, 42-91, 42-97, and 266-99, by amending sections 1, 9, 24.3, 25, 25.5, 27.2, 31, and 32 and Appendix C to extend the term of the franchise and to clarify and expand the obligations of the Comcast of California III, Inc.

Supervisor Daly, seconded by Supervisor Sandoval, moved to amend by including labor language.

Motion to amend failed by the following vote:

Ayes 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

Noes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin

Enacted Number: 237-05

FINALLY PASSED by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

051006 [Settlement of Claims - Comcast of California III, Inc.] Mayor

Ordinance approving the settlement of certain non-litigated claims on behalf of the City and County of San Francisco against Comcast of California III, Inc.

Enacted Number: 235-05

FINALLY PASSED by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

NEW BUSINESS

Recommendations of the City Operations and Neighborhood

Services Committee

051459 [Parking Restrictions] Supervisor McGoldrick

Ordinance amending the San Francisco Traffic Code by amending Section 3.6.1 to redefine the Downtown Core area, by amending 38.B to prohibit no stopping except for the loading or unloading of passengers or freight in the Downtown Core, by amending 38.B.1 to prohibit no stopping except for the loading or unloading of passengers or freight outside of the Downtown Core, by amending 201.1 to revise the boundaries for Parking Meter Area Number One, and by amending 201.2 to revise the boundaries for Parking Meter Area Number Two.

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Ordinance be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051485 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Harriet Street, east side, from Ahern Way to Harrison Street.

NO PARKING ANYTIME - ESTABLISH
Warren Drive, north side, from Blairwood Lane to 60 feet easterly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Carolina Street, west side, from 23rd Street to 90 feet southerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Cambridge Street, south side, from Stoneyford Avenue to 20 feet westerly (replacing the existing visibility red zone).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
201 Telegraph Hill Boulevard (formally establishes perpendicular parking in front of this building);
275 to 285 Telegraph Hill Boulevard, along east side of Kearny Street right-of-way, from Telegraph Hill Boulevard to 39 feet northerly (5 perpendicular parking spaces); and,
18th Street, north side, between Potrero Avenue and Utah Street.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Gough Street, east side, between Colton and Otis Streets (Unit block).

YELLOW (COMMERCIAL LOADING) ZONES, 7 AM - 6 PM, EVERYDAY, TOW-AWAY, NO STOPPING ALL OTHER TIMES - ESTABLISH
7th Street, east side, between Market and Stevenson Streets.

1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY -

RESCIND
GENERAL METERED PARKING AREA 1 (1-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Stevenson Street, south side, between 5th and 6th Streets (400 block).

NO PARKING ANYTIME - ESTABLISH
Noriega Street, north side, from the western edge of the #616 Noriega Street driveway to the western edge of the #624 property line.

MUNI BUS ZONE - EXTEND
Bayshore Boulevard at Marengo Street, east side, from 60 feet to 100 feet north of Marengo Street (extend existing bus zone by 40 feet). (Parking and Traffic Department)

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3044.)

Enacted Number: 708-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051487 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

MID-BLOCK CROSSWALK - ESTABLISH
Alabama Street, between 24th and 25th Streets. (Parking and Traffic Department)

(8/11/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3044.)

Enacted Number: 706-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051458 [Public Works Code - landmark trees and penalties for violations] Supervisor McGoldrick

Ordinance amending the Public Works Code by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and

to modify provisions on administrative penalties; and making environmental findings.

Continued to October 11, 2005

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the City Operations and Neighborhood Services Committee with Recommendation "Do Not Pass"

050689 [Public Works Code - significant trees, landmark trees, and penalties for violations] Supervisor Daly

Ordinance amending the Public Works Code by amending Sections 802, 804, 807, and 808 and adding Section 810A to address removal, maintenance, and nomination of significant trees as defined herein; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Section 810 to allow the City to landmark any tree within its territorial limits; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

Continued to October 11, 2005

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use Committee

Supervisor Daly Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor Daly at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

051521 [Designate 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248]

Ordinance designating 150 Otis Street, the Juvenile Court and Detention

Home, as Landmark No. 248 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be RE-REFERRED to the Land Use Committee. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

051397 **[Mission Bay South - Street Vacation of Portions of Fourth Street]**

Resolution declaring the intention of the Board of Supervisors to vacate two (2) portions of Fourth Street within Mission Bay South from Third Street north to Channel Street; setting the hearing date for November 1, 2005 at 3:00 p.m. for all persons interested in the proposed vacation of the street area; adopting findings that the proposed vacation is consistent with the San Francisco General Plan and eight priority policies of San Francisco Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; and making environmental findings. (Public Works Department)

Enacted Number: 690-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use Committee Without Recommendation

051398 **[Mission Bay South - Ordering Street Vacation of portions of Fourth Street]**

Ordinance ordering the vacation of two (2) portions of Fourth Street from Third Street north to Channel Street; authorizing a grant in fee title of the City and County of San Francisco's rights and interest in the vacated areas to FOCIL; authorizing reservations of certain utility easements in the vacated areas; adopting findings that such vacation of Fourth Street is consistent with the City General Plan and eight policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act (CEQA); accepting Department of Public Works Order No. 175,536; and authorizing official acts in connection with this Ordinance. (Public Works Department)

(To be heard at public hearing on November 1, 2005, at 3:00 p.m.)

Amended to replace "4:00 p.m." with "3:00 p.m."

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Continued to November 1, 2005 for a public hearing at 3:00 p.m.

CONTINUED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Privilege of the Floor

Supervisor Maxwell introduced, welcomed and presented Certificates of Honor to Peter Linenthal and Abigail Johnson.

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Michael Lane.

SPECIAL ORDER 4:00 P.M

Board of Supervisors Sitting as a Committee of the Whole

051557 [Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]

Hearing to consider the possible adoption of an Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City

contracting; and adopting a declaration of emergency. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board members.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

051558 [Reenacting a Disadvantaged Business Enterprise Program] Supervisor Ma

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Enacted Number: 224-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:30 P.M.

051445 [Public Hearing - Appeal of Final Environmental Impact Report for 491 Bayshore Boulevard (HOME DEPOT)]

Hearing of persons interested in or objecting to the Planning Commission's July 28, 2005, certification of a Final Environmental Impact Report identified as Case No. 2001.0062E, through its Motion 17071. The proposed project would involve the demolition of the existing vacant buildings equaling approximately 107,372 square feet and the construction of approximately 140,000 square foot home improvement center (HOME DEPOT) with a separate, attached 235,597 square foot parking garage accommodating 585 parking spaces with an M-1 (Light Industrial) District, a 65-J Height and Bulk District, and the Industrial Protection Zone Special Use District, located at 491 Bayshore Boulevard, Assessor's Block 5598, Lots 8, 9, 11, 13, 15, 16, 18, 21 and 28. (Appellant: Sue C. Hestor, Attorney, on behalf of Cole Hardware).

(Date Filed: 8/11/05; companion measure to Files 051446, 051447, 051448;

District 10.)

Continued to October 25, 2005

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051446 [Affirm certification of 491 Bayshore Boulevard (Home Depot) FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)

Continued to October 25, 2005

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051447 [Disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)

Continued to October 25, 2005

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

051448 [Preparation of findings to disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the

Board)

Continued to October 25, 2005

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor McGoldrick noted absent at 3:39 p.m.

COMMITTEE REPORTS

051442 [Settlement of Lawsuit - Anna Maria Olmedo]

Ordinance authorizing settlement of the lawsuit filed by Anna Maria Olmedo against the City and County of San Francisco for $62,500; the lawsuit was filed on August 15, 1999 in San Francisco Superior Court, Case No. 314-031.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

051540 [Settlement of Lawsuit - Torfirio Carpenter]

Ordinance authorizing settlement of the lawsuit filed by Torfirio Carpenter against the City and County of San Francisco for $40,000; the lawsuit was filed on April 21, 2004 in San Francisco Superior Court, Case No. 430-718; entitled Torfirio Carpenter, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

051541 [Settlement of Lawsuit - Raymond Nario]

Ordinance authorizing settlement of the lawsuit filed by Raymond Nario against the City and County of San Francisco for $60,000.00; the lawsuit was filed on October 20, 2003 in United States District Court, Case No. C05-1394 JSW; entitled Raymond Nario, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

051591 [Appointment - Immigrant Rights Commission]

Resolution appointing Svetlana Kaff, Phu Nguyen and Zina Spektor, terms ending June 6, 2007, to the Immigrant Rights Commission.

Svetlana Kaff, succeeding herself, term expired, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007. Phu Nguyen, succeeding Anthony Eke, term expired, seat 10, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007. Zina Spektor, succeeding herself, term expired, seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Enacted Number: 700-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Supervisors Ma, Mirkarimi and Daly Excused From Voting

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved to excuse Supervisors Ma, Mirkarimi and Daly from voting on this matter. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 3 - Daly, Ma, Mirkarimi

051593 [Appointment - Association of Bay Area Governments Executive Board]

Resolution appointing Supervisor Fiona Ma, Supervisor Ross Mirkarimi and Supervisor Chris Daly, terms ending June 30, 2007, to the Association of Bay Area Governments Executive Board.

Supervisor Fiona Ma, succeeding herself, term expired, seat 1, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2007. Supervisor Ross Mirkarimi, succeeding himself, term expired, seat 2, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2007. Supervisor Chris Daly, succeeding Supervisor Mark Leno, term expired, seat 3, must be a member of the Board of Supervisors (ALTERNATE), for the unexpired portion of a two-year term ending June 30, 2007.

Enacted Number: 699-05

ADOPTED by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 3 - Daly, Ma, Mirkarimi

051602 [Appointment - Food Security Task Force]

Resolution appointing Gina Fromer, Ellen Stroud, Daisy Anarchy and Gail Priestley, terms indefinite, to the Food Security Task Force, residency requirement waived.

Gina Fromer (residency requirement waived), new appointment, seat 1, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term. Ellen Stroud, new appointment, seat 2, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term. Daisy Anarchy, new appointment, seat 3, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term. Gail Priestley (residency requirement waived), new appointment, seat 4, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term.

Enacted Number: 698-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Recess

The Board recessed at the hour of 3:51 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:00 p.m.

Calling the Roll

The following Supervisors were noted present: Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval - 9

Supervisor McGoldrick was noted present at 4:01 p.m.

Supervisors Alioto-Pier and Sandoval were noted present at 4:02 p.m.

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

051594 [Confirming appointment of Hunter Stern to the Municipal Transportation Agency Board of Directors] Mayor

Resolution confirming the appointment of Hunter Stern to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2009.

Supervisor Daly moved to continue this matter to November 15, 2005.

Motion to continue failed for lack of a second.

NOT ADOPTED by the following vote:

Ayes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma
Noes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; showed interest concerning the victims of the hurricane and issues with the SF Fire Department

Espanola Jackson: expressed concern relating to impacts of development on the surrounding Executive Park community

Dorcey Nunn, All of Us or None; showed interest in the passage of a proposed resolution "ban the box"

Linda Evans; showed interest in the passage of a proposed resolution "ban the box"

William Buellman; showed interest in the passage of a proposed resolution "ban the box"

Margaret Richardson; showed interest in the passage of a proposed resolution "ban the box"

Alicia Devalli; showed interest in the passage of a proposed resolution "ban the box"

John Rosen; showed interest in the passage of a proposed resolution "ban the box"

Nat Smith; showed interest in the passage of a proposed resolution "ban the box"

James Chaffee; expressed concern with SF Library issues

Donna Willmott; showed interest in the passage of a proposed resolution "ban the box"

Mary; showed interest in the passage of a proposed resolution "ban the box"

Male Speaker; expressed concern regarding the Muni cuts

Roger White; showed interest in the passage of a proposed resolution "ban the box"

Andrea Bible; showed interest in the passage of a proposed resolution "ban the box"

Linden; showed interest in the passage of a proposed resolution "ban the box"

Walter; showed interest in disaster precautions

Friends of the Library; informed the Board of the Library Book Sale

Male Speaker; showed interest in the passage of a proposed resolution "ban the box"

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051615 [Housing assistance for people with HIV/AIDS displaced by the Hurricane Katrina] Supervisors Ammiano, Dufty

Resolution stating that the City and County of San Francisco will provide housing assistance for the 8,000 people with HIV/AIDS who have been displaced by the Hurricane Katrina disaster in Louisiana and Mississippi.

Enacted Number: 725-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051616 [Commending East Bakersfield High School Journalists] Supervisor Ammiano

Resolution commending East Bakersfield High School Journalism Department and student journalists for their courage in attempting to publish a series of news articles in their school newspaper on the lives of gay youth and for fighting for their first amendment rights to overturn the prohibition imposed by school administrators to censor publication of the news series.

Enacted Number: 718-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051617 [Declaring October 2005 to be "Domestic Violence Awareness Month"] Supervisor Ma

Resolution declaring October 2005 to be "Domestic Violence Awareness Month" in the City and County of San Francisco.

Enacted Number: 697-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051619 [Interim Report on Traffic Flow and Pedestrian Safety on Octavia Boulevard] Supervisor Mirkarimi

Resolution urging the San Francisco Department of Parking and Traffic to deliver an interim report by October 5, 2005 concerning traffic flow and pedestrian safety on Octavia Boulevard and its adjoining freeway off-ramp.

Enacted Number: 695-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051621 [Zoning - Extension of Planning Commission Review Period - Better Neighborhoods Plan] Supervisor McGoldrick

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

Enacted Number: 694-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051622 [Endorsing Statewide Ballot Measure] Supervisors Peskin, Ma

Resolution endorsing the passage of California State Proposition 79, the "Cheaper Prescription Drugs for California Act", and urging the defeat of California State Proposition 78, sponsored by major pharmaceutical manufacturers.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 722-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051623 [Honoring Michael Lane] Supervisors Peskin, Dufty, Maxwell, Alioto-Pier, Elsbernd

Resolution honoring Michael Lane for his many contributions to the City and County of San Francisco and proclaiming October 4, 2005 as Michael Lane Day.

Enacted Number: 719-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051624 [Declaring the week of October 2-9 Howl Week in the City and County of San Francisco] Supervisor Peskin

Resolution declaring the week of October 2-9 Howl Week in the City and County of San Francisco to commemorate the 50th anniversary of the first reading of Allen Ginsberg's classic American poem about the Beat Generation.

Enacted Number: 693-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051625 [Commending the League of California Cities-Latino Caucus] Supervisors Sandoval, Ma

Resolution commending the League of California Cities-Latino Caucus for its work advocating for and improving the quality of life of Latinos in California and extending congratulations to Los Angeles City Council President Alex Padilla on becoming President of the League of California Cities.

Supervisor Ma requested to be added as a co-sponsor.

Enacted 692-05

Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from Without Reference to Committee Agenda

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

Suspend the Rules

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved to suspend the Board of Supervisors Rule No. 2.11. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051572 [SFUSD Labor-Management Dispute] Supervisors Ammiano, Ma

Resolution urging the San Francisco Board of Education and the San Francisco Unified School District Superintendent, Arlene Ackerman, to seek all avenues available to resolve the current labor and management dispute, including finding a informal or local mediator and utilizing portions of Proposition H, the Public Education Enrichment Fund, to fund salaries for the lowest paid and most vulnerable School District employees.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 724-05

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

051618 [Accept-Expend Gift - San Francisco Public Library] Supervisors Mirkarimi, Sandoval, Maxwell, Ma, Elsbernd

Resolution authorizing the Library to accept and expend up to $16 million from the Friends of the San Francisco Public Library for furniture, fixtures, equipment and other costs related to the Branch Library Improvement Program.

Supervisors Ma and Elsbernd requested to be added as co-sponsors.

Enacted Number: 696-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Daly requested that this matter be severed so that it might be considered separately.

051620 [Tree Disclosure Statement] Supervisor McGoldrick

Resolution instructing the Planning Department to require a Tree Disclosure Statement as part of all building permit applications that include exterior work, demolition or grading.

Amended on page 1, line 3 to replace "instructing" with "urging"

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Resolution urging the Planning Department to require a Tree Disclosure Statement as part of all building permit applications that include exterior work, demolition or grading.

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding] Motion that the Board find that for the resolution (s) being considered at this time the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting.

Supervisor Ammiano, seconded by Supervisor Dufty, moved ADOPTION of the Serious Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate

action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051641 [Urging Federal Action] Supervisors Peskin, Mirkarimi, McGoldrick, Ma, Maxwell, Dufty, Ammiano

Resolution confirming the City and County of San Francisco's opposition to oil or gas exploration, and development off and on our coastline and requesting that the United States Department of the Interior refrain from the inclusion of any OCS lease tracts offshore the California coastline in its Proposed Five-year Outer Continental Shelf Leasing Program for 2007-2012.

Enacted Number: 721-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051460 [Subdivision Code fees] Supervisor Dufty

Ordinance amending the Subdivision Code section 1315 to adopt new fees for air space maps, lot subdivisions, condominium conversions, parcel maps, lot merger and resubdivision maps, amended maps, lot line adjustments, lot mergers, certificates of compliance, certificates of correction, records of survey, and other mapping actions and to provide for an annual adjustment of such fees based on the relevant consumer price index; and making environmental findings.

8/16/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

9/27/05, SUBSTITUTED. Supervisor Dufty submitted a substitute ordinance bearing new title.

9/27/05, ASSIGNED to Budget and Finance Committee.

9/27/05, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

051250 [Medical cannabis guidelines and medical cannabis dispensary zoning and permitting] Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.131, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house and residential-mixed zoning districts; permit dispensaries elsewhere subject to restrictions based on a dispensary's proximity to schools, community centers, and facilities providing substance abuse services that are licensed or certified by the State of California or funded by the Department of Public Health; require adequate ventilation in dispensaries; prohibit the sale or distribution of alcohol at dispensaries; require Planning Department notice to interested individuals and properties within 300 feet of proposed dispensaries; require dispensaries operating as of April 1, 2005 to obtain a permit within 18 months of the effective date of this legislation or must cease operations; require dispensaries beginning operation after April 1, 2005 but before the effective date of this legislation to cease operations; require a notice that permits for dispensaries are not intended to and do not authorize the violation of State or Federal law; and make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan;
Amending the San Francisco Health Code by adding Sections 3200 through 3220, to: set medical cannabis possession guidelines; require a permit, business license, and business registration certificate for a medical cannabis dispensary; set out the application process for a medical cannabis permit; set out operating requirements for medical cannabis dispensaries; and set out the administrative process for imposing penalties and/or permit suspension or revocation for violations;
Amending the San Francisco Traffic Code by amending Sections 53 and 132, to create an infraction for double parking in front of a medical cannabis dispensary and set the fine at $100; and,
Amending the San Francisco Business and Tax Regulations Code by amending Section 1, and by adding Sections 1.177 and 249.17, to authorize the Department of Health to issue medical cannabis dispensary permits and to set out the license fees for medical cannabis dispensaries.

(Fiscal impact.)

6/28/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/28/2005.

7/8/05, REFERRED TO DEPARTMENT. Referred to Planning Department for review and comment.

8/30/05, RESPONSE RECEIVED. Planning Department Certificate of Determination of exemption/exclusion from environmental review.

9/7/05, TRANSFERRED to Budget and Finance Committee.

9/19/05, RESPONSE RECEIVED. Planning Commission Resolution No. 17103 with recommendation that Board adopt proposed ordinance with modifications and Planning Department executive summary.

9/27/05, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing new title.

9/27/05, ASSIGNED to Budget and Finance Committee.

051637 [Subdivision Code - Planning Commission hearings on condominium conversions] Supervisor Daly

Ordinance amending Subdivision Code Section 1332 to require Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Sections 1396 et seq., the condominium conversion lottery; and making environmental findings.

9/27/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 10/27/2005.

051651 [Protection of employee rights] Supervisors Mirkarimi, Ammiano, Peskin, Dufty, Ma, Maxwell, Daly, Sandoval, McGoldrick

Ordinance amending Section 11.55 of the Administrative Code to require franchise grantees to comply with provisions of federal law that prohibit discrimination against an employee based on an employee's decision to participate in employee organizations for the purpose of representation, and to require grantees to notify contractors and subcontractors that they must comply with these same provisions, and to prohibit discrimination against an employee, contractor or subcontractor for speaking before or filing a complaint with any government agency or court, and to ensure that company policies, handbooks, and directives are not construed to limit such activity by an employee.

9/27/05, RECEIVED AND ASSIGNED to Rules Committee.

051652 [Office of Labor Standards Enforcement] Supervisor Ammiano

Ordinance adding Section 2A.23 to Chapter 2 of the San Francisco Administrative Code to establish the Office of Labor Standards Enforcement within the Department of Administrative Services to enforce the Minimum Wage Ordinance, Minimum Compensation Ordinance, Health Care Accountability Ordinance, Prevailing Wage Ordinances and carry out additional duties as established by Charter or ordinance; and amending Section 6.24 of the Administrative Code to delete language duplicative of Section 2A.23.

9/27/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/27/2005.

051653 [Recreation and Park - S.F. Marina Parking] Supervisor Alioto-Pier

Ordinance amending the San Francisco Park Code by amending Section 12.11 to limit the number of parking spaces reserved for berth-holders.

9/27/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 10/11/05 - Referred to Parking and Traffic for determination of environmental impact. 10/11/05 - Informed by Parking and Traffic that their Dept. is not involved and item should be referred to Recreation and Park Dept. 10/18/05 - Referred to Recreation and Park Dept. for review. 10/18/05 - Referrred to Planning for determination of environmental impact of fees.

Resolutions

051632 [Walk to School Day] Supervisor Ma

Resolution declaring October 5, 2005 as "Walk Our Children to School Day" in the City and County of San Francisco.

9/27/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051633 [Adopting the National Incident Management System] Supervisor Ma

Resolution adopting the National Incident Management System.

9/27/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051634 [Microenterprise Development Month] Supervisor Ma

Resolution declaring October 2005 as "Microenterprise Development Month" in the City and County of San Francisco.

9/27/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051635 [FY 2005-06 California Constitution Appropriations Limit] Supervisor Peskin

Resolution establishing the appropriations limit for Fiscal Year 2005-06 pursuant to California Constitution Article XIII B.

9/27/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051636 [Expend Federal Funding - Community Development Block Grant] Supervisors Ammiano, Maxwell

Resolution approving the expenditure of One Million Six Hundred Eleven Thousand Seven Hundred and Seventy-eight Dollars ($1,611,778) of Community Development Block Grant Funds.

9/27/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. MOCD requests this item be scheduled for consideration at the October 6, 2005 meeting.

051638 [Employment Policies and Procedures Regarding Criminal History] Supervisors Ammiano, Maxwell, Daly, Mirkarimi, Dufty

Resolution urging the Civil Service Commission and the Department of Human Resources to review and revise current policies and procedures where appropriate so that people who have been in prison or convicted of criminal activity are not unreasonably denied City employment.

9/27/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE

AGENDA AT THE NEXT BOARD MEETING.

051642 [Authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703.2 for fiscal years 2004-2005 and 2005-06] Supervisor Peskin

Resolution authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703.2 for fiscal years ending June 30, 2005 and June 30, 2006.

9/27/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051655 [Declaring October 1, 2005, to be Renewable Energy Day in San Francisco] Supervisor Elsbernd

Resolution declaring October 1, 2005, to be Renewable Energy Day in San Francisco.

9/27/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051656 [Proclaiming October 2005 as "San Francisco Disaster Preparedness Month"] Supervisors Ma, Dufty

Resolution proclaiming October 2005 as "San Francisco Disaster Preparedness Month".

9/27/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051657 [Commending the Second Annual Loveparade San Francisco] Supervisor Mirkarimi

Resolution commending the success of the 2005 Loveparade San Francisco.

9/27/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051658 [Shared Lane Markings on Seventh Avenue] Supervisor Mirkarimi

Resolution urging the Department of Parking and Traffic to complete stenciling Shared Lane Markings on Seventh Avenue between Kirkham Street and Lincoln Way.

9/27/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051659 [Supporting Federal Legislation H.R. 1492 - Preservation of Historic Confinement Sites] Supervisors Peskin, Mirkarimi

Resolution expressing support for House Resolution 1492, federal legislation to provide for the preservation of the historic confinement sites where Japanese Americans were detained during World War II.

9/27/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE

AGENDA AT THE NEXT BOARD MEETING.

Requests For Hearing

051643 [Fees for Minor Encroachment Permits] Supervisor Peskin

Hearing regarding the Department of Public Works progress in implementing recently adopted fees for minor encroachment permits.

9/27/05. RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051644 [Information Technology Procurement and Maintenance] Supervisor Ammiano

Requesting a hearing on Information Technology procurement and maintenance to include the Department of Telecommunication and Information Systems, the Committee on Information Technology, and the mini-IT departments that the larger departments in this City have created, including the S.F. International Airport, the Department of Public Health, the S.F. Public Utilities Commission, and the Human Services Agency.

9/27/05. RECEIVED AND ASSIGNED to Budget and Finance Committee.

051645 [Update on the Sutter/CPMC Situation] Supervisor Ammiano

Hearing to receive an update on the Sutter/California Pacific Medical Center situation.

9/27/05. RECEIVED AND ASSIGNED to Budget and Finance Committee.

051646 [SRO Health and Safety Task Force] Supervisor Ammiano

Hearing to allow the SRO Health and Safety Task Force to formally present their findings to the Board of Supervisors regarding Families with Children Living in Private SROs in San Francisco and proposed recommendations from the SRO Task Force to ensure adequate housing and reducing children's exposure to environmental health hazards.

9/27/05. RECEIVED AND ASSIGNED to Land Use Committee.

051647 [Qualifications for the Director of the Office of Emergency Services] Supervisor Ammiano

Request for a hearing to inquire into Administrative Code Section 7.7 which defines the qualifications for the Director of the Office of Emergency Services.

9/27/05. RECEIVED AND ASSIGNED to Rules Committee.

051648 [Mayor's Budget Instructions to City Departments] Supervisor Daly

Hearing on the Mayor's instructions to City Departments regarding policy fiscal objectives and policy priorities in drafting their budgets, including: (1) What fiscal constraints is the Mayor applying to budget creation? (2) What major policy objectives and strategic initiatives is the Mayor planning? (3) How will Board of Supervisors' budget priorities resolution and subsequent restorations for FY 06-07 be considered in these instructions? (4) What are the Mayor's plans to respond to the epidemic of homicides affecting many San Francisco neighborhoods?

9/27/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051649 [Allegations of illegal evictions at the Hunters View Public Housing Development site] Supervisor Maxwell

Hearing to discuss recent allegations of illegal evictions at the Hunters View Public Housing Development site.

(The S.F. Housing Authority should come prepared to respond to these allegations as well as provide the Board of Supervisors information on the following: (1) An update on the Hunters View revitalization plan; (2) An explanation of 200 plus vacant units that became available to Kartina victims and how this affects people who are currently on the Housing Authority waiting list; (3) Information on how they prioritize maintenance and upkeep throughout their site in the City, what procedures are in place to respond to requests; and (4) How are these requests prioritized.)

9/27/05, RECEIVED AND ASSIGNED to Land Use Committee.

051650 [S.F. Fire Department's plans to coordinate emergency aid in the event of a major disaster] Supervisor Sandoval

Hearing on the S.F. Fire Department's plans to coordinate emergency aid from other jurisdictions in the event of a major disaster, and steps being taken to ensure that engines from other jurisdictions will be able to access and utilize San Francisco fire hydrants.

9/27/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motion

051631 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

9/27/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

051554 [Abolition of legislated setback for 301-323 14th Avenue] Supervisor McGoldrick

Ordinance amending the San Francisco Planning Code by abolishing the legislated front setback of the southeastern portion of the property located at 301-323 14th Avenue, identified as Assessor's Block No. 1446, Lot No. 054 (formerly Lots 001, 004, 006, 053), as shown on Block Book Map No. 1446 of the City and County of San Francisco, Volume 12; and adopting General Plan, Planning Code Section 101.1(b), and environmental findings. (Planning Department)

9/12/05, RECEIVED AND ASSIGNED to Land Use Committee. 9/22/05, Supervisor McGoldrick requested to be added as sponsor.

051583 [Settlement of Lawsuit - Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al]

Ordinance authorizing settlement of the lawsuit filed by Frederick Meiswinkel, Inc. for $1,800,000 against the Hunt Construction Group, Inc. and Hunt cross-complaint against the City and County of San Francisco seeking indemnity from the claims brought by Meiswinkel; the lawsuit was filed on March 2, 2004 in San Francisco Superior Court, Case No. CGC -04-429249; entitled, Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al; other material terms of said settlement are nonmaterial terms. (City Attorney)

9/19/05, RECEIVED AND ASSIGNED to Rules Committee.

051584 [Settlement of Lawsuit - Kaiser Foundation Hospitals]

Ordinance authorizing settlement of the lawsuit filed by Kaiser Foundation Hospitals against the City and County of San Francisco for $67,500.00; the lawsuit was filed on May 4, 2005 in San Francisco Superior Court, Case No. 429-909; entitled Kaiser Foundation Hospitals v. City and County of San Francisco. (City Attorney)

9/19/05, RECEIVED AND ASSIGNED to Rules Committee.

051590 [Designating a portion of Lot 1 in Assessor's Block 1700 (Golden Gate Park), the Music Concourse, as a Landmark under Planning Code Article 10] Supervisors Mirkarimi, Maxwell, Sandoval

Ordinance designating a portion of Lot 1 in Assessor's Block 1700 (Golden Gate Park), the Music Concourse, as Landmark No. 249, pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

9/13/05, RECEIVED AND ASSIGNED to Land Use Committee. 11/8/05, Supervisor Sandoval requested to be added as cosponsor.

PROPOSED RESOLUTIONS

051553 [Supporting the City's application for Prop 63 Mental Health Funding] Supervisor Ma

Resolution supporting the City's application to the State of California for the Mental Health Services Act (MHSA). (Public Health Department)

9/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051581 [Street Artist Winter Holiday Spaces]

Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2005, beginning on November 15, 2005 and ending on January 15, 2006. (Arts Commission)

9/19/05, RECEIVED AND ASSIGNED to Land Use Committee.

051595 [Mission Bay South City Construction and Slope Maintenance, Easement]

Resolution approving exercise of option to extend an easement agreement for temporary rights to the City to construct improvements, maintain certain slopes for street improvements until such time as those slopes are no longer needed to support the street and authorizing other official actions. (Public Works Department)

9/15/05, RECEIVED AND ASSIGNED to Land Use Committee.

051596 [Contract Amendment for Muni Metro East Light Rail Facility]

Resolution authorizing the Director of Transportation to execute the Tenth Amendment to San Francisco Municipal Railway Contract No. CS-116, Design and Construction Support Services for Muni Metro East Light Rail Vehicle Maintenance and Operations Facility with Gannett Fleming, Inc. for an amount not to exceed $3,313,629, for a total contract amount not to exceed $12,262,990, and for a contract extension of two and one-half years, for a total contract term of ten years. (Municipal Transportation Agency)

(Fiscal impact.)

9/15/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works

report on the status of removing the trash bags on Clayton Street between Haight Street and Waller Street and the tree branches and other yard waste at the corner of Clayton and Waller Streets.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the feasibility of regularly emptying the public trash receptacles in the Haight-Ashbury neighborhood on Sundays, particularly on Haight Street between Stanyan Street and Masonic Street, and on Belvedere Street between Haight Street and Waller Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic report on the status of putting up the official street signs for identifying the intersecting streets along Octavia Blvd. between Hayes and Market Streets.

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting that the City Attorney advise on introducing colored pavement to designate the continuation of the bike lane across the intersection of Market Street and Octavia Street as expressed in the resolution passed by the Board of Supervisors on August 2004, file #040912; using the adoption of "Shared Lane Marking" as an example.

From: Supervisor Ammiano

To: Members, San Francisco Police Commission

Requesting/Inquiring: Requesting a letter of inquiry to be delivered to all members of the San Francisco Police Commission to inquire into the recent creation of the Firearms Review Advisory Board.

From: Supervisor Sandoval

To: Director, Public Utilities

In Memoriams

Deputy Carthell Lewis - Supervisor Dufty

Lily Cuneo - Supervisors Dufty and Alioto-Pier

Salud Orote - Supervisor Peskin

Robert Anthony Awad - Supervisors Ammiano, Elsbernd, and Dufty

Jack Riordan - Supervisor Elsbernd

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:45 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions token by the Board of Supervisors on the matters stated, but not necessarily the chronologicol sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 25, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify thot the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Disability access

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999 2003 City & County of San Francisco. All rights reserved

Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.
NOV 29 2005
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, October 11, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron*

Peskin, Gerardo Sandoval.

Members Excused: *Michela Alioto-Pier.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll the following Supervisors Alioto-Pier and Sandoval were noted absent.

Supervisor Sandoval was noted present at 2:06 p.m.

Supervisor Alioto-Pier was previously was previously excused. (See Infra)

Supervisor Alioto-Pier Excused from Attendance

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to excuse Supervisor Alioto-Pier from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved to approve September 13, 2005 and September 20, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

051440 [Airport Equipment Maintenance and Operating Agreement]

Resolution approving Equipment Maintenance and Operating Agreement between San Francisco Terminal Equipment Company, LLC and the City and County of San Francisco, acting through its Airport Commission. (Airport Commission)

Enacted Number: 743-05
ADOPTED

051530 [Airport Public Parking Services Proposition]

Resolution approving the Controller's certification that Airport Public Automobile Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

(Fiscal impact.)

Enacted Number: 741-05
ADOPTED

051531 [Airport Employee Parking Services Proposition J]

Resolution approving the Controller's certification that Airport Employee Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

(Fiscal impact.)

Enacted Number: 740-05
ADOPTED

051533 [Contract between the Department of Public Health and Accordis, Inc. to provide retroactive claiming of aged accounts services]

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to continue a contract between the City and County of San Francisco and Accordis, Inc. to provide retroactive claiming of aged accounts services for the period of July 1, 2004 through June 30, 2008. (Public Health Department)

(Fiscal impact.)

Enacted Number: 739-05
ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

051464 [Traffic Regulations] Supervisor Ammiano

Resolution enacting and rescinding traffic regulations on various streets

MID-BLOCK CROSSWALK - ESTABLISH
Alabama Street, between 24th and 25th Streets.

(8/15/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 730-05
ADOPTED

051546 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY NO STOPPING ANYTIME - ESTABLISH
Beacon Street, both sides, from the south end of the driveway of 383 Beacon Street to 120 feet southerly.

(8/30/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the stree; DPT Order No. 3056.)

Enacted Number: 738-05
ADOPTED

051547 [STOP Intersections] Supervisor Elsbernd

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Clement Street and 15th Avenue, stopping Clement Street at 15th Avenue, making this intersection an all-way STOP.
Flood Avenue at Congo Street, installing STOP signs on Flood Avenue at Congo Street, making this intersection an All-Way STOP.
Fairfield Way at Kenwood Way, installing a STOP sign on Fairfield Way at Kenwood Way. (Parking and Traffic Department)

(8/30/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the stree; DPT Order No. 3056.)

Enacted Number: 737-05
ADOPTED

051553 [Supporting the City's application for Prop 63 Mental Health Funding] Supervisor Ma

Resolution supporting the City's application to the State of California for the Mental Health Services Act (MHSA). (Public Health Department)

Enacted Number: 744-05
ADOPTED

051587 [Approval of the Substance Abuse and Crime Prevention Act of 2000 - Implementation Plan] Supervisor Mirkarimi

Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2005-2006. (Public Health Department)

Enacted Number: 736-05
ADOPTED

Recommendations of the Rules Committee

051540 [Settlement of Lawsuit - Torfirio Carpenter]

Ordinance authorizing settlement of the lawsuit filed by Torfirio Carpenter against the City and County of San Francisco for $40,000; the lawsuit was filed on April 21, 2004 in San Francisco Superior Court, Case No. 430-718; entitled Torfirio Carpenter, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 240-05
FINALLY PASSED

051541 [Settlement of Lawsuit - Raymond Nario]

Ordinance authorizing settlement of the lawsuit filed by Raymond Nario against the City and County of San Francisco for $60,000.00; the lawsuit was filed on October 20, 2003 in United States District Court, Case No. C05-1394 JSW; entitled Raymond Nario, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 239-05

FINALLY PASSED

051442 [Settlement of Lawsuit - Anna Maria Olmedo]

Ordinance authorizing settlement of the lawsuit filed by Anna Maria Olmedo against the City and County of San Francisco for $62,500; the lawsuit was filed on August 15, 1999 in San Francisco Superior Court, Case No. 314-031.

Enacted Number: 238-05

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

051378 [Sale of City Property located at 425 Mason Street, San Francisco]

Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance. (Real Estate Department)

(Fiscal impact.)

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Ordinance be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the City Operations and Neighborhood Services Committee

051458 [Public Works Code - landmark trees and penalties for violations] Supervisor McGoldrick

Ordinance amending the Public Works Code by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Continued as amended to October 18, 2005

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

From the City Operations and Neighborhood Services Committee with Recommendation "Do Not Pass"

050689 [Public Works Code - significant trees, landmark trees, and penalties for violations] Supervisor Daly

Ordinance amending the Public Works Code by amending Sections 802, 804, 807, and 808 and adding Section 810A to address removal, maintenance, and nomination of significant trees as defined herein; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Section 810 to allow the City to landmark any tree within its territorial limits; amending Section 811 to create civil penalties and fines and to modify provisions on

administrative penalties; and making environmental findings.

Supervisor Daly, seconded by Supervisor Elsbernd, moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

NEW BUSINESS

Recommendations of the Budget and Finance Committee

050922 [Payroll Expense Tax Exclusion for qualified clean energy technology businesses] — Supervisors McGoldrick, Alioto-Pier, Mirkarimi, Elsbernd, Ma, Sandoval

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for qualified clean energy technology businesses, as specified.

Continued to October 25, 2005

Supervisor Ma requested to be added as a co-sponsor.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Daly, Peskin
Excused: 1 - Alioto-Pier

Supervisor Sandoval Excused From Voting

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Sandoval, at his request, from voting on this matter due to a possible conflict of interest. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Alioto-Pier, Sandoval

051512 [Amendment to Budget Analyst contract to exercise two year option] — Supervisor Peskin

Motion approving exercising the first option set forth in the agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates; Debra A. Newman;

Rodriguez, Perez, Delgado & Company Certified Public Accountants; Harvey M. Rose Accountancy Corporation Certified Public Accountants; and Louie & Wong LLP Certified Public Accountants ("A Joint Venture") to extend the term of the Agreement from January 1, 2006 through December 31, 2007.

(Fiscal impact.)

Enacted Number: M05-124

APPROVED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Maxwell
Excused: 2 - Alioto-Pier, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

050253 [Proposition 65 Ordinance - Safe Drinking Water and Toxic Enforcement Act of 1986] Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code by adding Section 456.6, to require the Department of Public Health to Enforce the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) and its implementing regulations with respect to foods which are subject to a state or federal safety advisory where said advisory is regarding a substance included on the Proposition 65 list issued by the State of California Environmental Protection Agency and to require certain food establishments to provide Proposition 65 warnings in English, Spanish, and Chinese.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Continued as amended to October 18, 2005

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor Daly was noted absent at 4:06 p.m.

051382 [Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) - include Entertainment Commission and Emergency Medical Services in review process] Supervisor Daly

Ordinance amending San Francisco Traffic Code Section 800 to include the Entertainment Commission as part of the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT); amending Section 801 to require emergency medical services plans for "major events" and the inclusion of the Director of Emergency Medical Services and Emergency Operations Section (EMSEO) in approval process for major event applications; amending Section 802 to expand definition of "major events" to include street fairs; amending Section 804 to require Clerk of the Board of Supervisors to transmit copies of any legislation approving a temporary street closing for major events to the Director of EMSEO; amending Section 806 to include the Executive Director of the Entertainment Commission in the review process of applications for temporary use of streets for street fairs; amending San Francisco Administrative Code Section 90.4 to require permit applicants for major events to submit an emergency medical services plan to the Entertainment Commission for consideration in the approval of permit applications for major events.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Alioto-Pier

051505 [Traffic Regulations] Supervisor Dufty

Resolution enacting and rescinding traffic regulations on various streets

BICYCLE LANES - ESTABLISH (6-month trial)
Fourteenth Street, eastbound, from Market Street to Dolores Street.

ONE WAY STREET - ESTABLISH (6-month trial)
Fourteenth Street, from Market Street to Dolores Street (two-way to eastbound only).

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 742-05

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Alioto-Pier

Recommendations of the Government Audit and Oversight Committee

051522 [To de-appropriate current capital project appropriations to reflect updated sources and uses of capital project funding] Mayor

Ordinance de-appropriating $287,977,266 of existing sources and uses authority for various San Francisco International Airport (SFIA) capital project funding to reflect actual sources of funding available to support the Five-Year Capital Plan, Fiscal Year 2004-05 through Fiscal Year 2008-09.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Alioto-Pier

051529 [To appropriate capital project funding to reflect updated sources and uses appropriation consistent with the priorities outlined in the San Francisco International Airport's Five-Year Mayor

Ordinance appropriating $243,723,524 in total sources and uses, including the de-appropriation of $125,321,506 in current project funding to use this source for appropriation, as well as appropriating an additional $26,055,079 of available Airport fund balance, $59,588,300 of grant authorization to accept and expend funds from the Federal Aviation Administration for projects related to security, runway and taxiway construction and improvements, $23,182,388 of grant authorization to accept and expend funds from the California Department of Transportation (Caltrans) for viaduct construction, and $9,576,251 in interest income. These various sources and uses are herein appropriated for various San Francisco International Airport (SFIA) capital projects as detailed below to reflect the updated San Francisco International Airport Five-Year Capital Plan, Fiscal Year 2004-05 through Fiscal Year 2008-09. Of the $243,723,524 appropriated, $24,970,000 for the Westfield Cargo Redevelopment project is herein placed on reserve.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Alioto-Pier

Recommendations of the Land Use Committee

Supervisor Daly was noted present at 4:11 p.m.

051248 [Sacramento Street Neighborhood Commercial District - Allowing residential conversion on second and third stories with a conditional use permit] Supervisor Alioto-Pier

Ordinance amending Section 724.1 of the Planning Code to allow, as a conditional use, for conversion of upper floor residential units in the Sacramento Street Neighborhood Commercial District as a conditional use, where: the new use will be an Other Institution, Large, Educational Services use, only one dwelling unit in building will be converted and that unit is the only non-residential use in the building, and no legally residing tenant will be displaced; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051554 [Abolition of legislated setback for 301-323 14th Avenue] Supervisor McGoldrick

Ordinance amending the San Francisco Planning Code by abolishing the legislated front setback of the southeastern portion of the property located at 301-323 14th Avenue, identified as Assessor's Block No. 1446, Lot No. 054 (formerly Lots 001, 004, 006, 053), as shown on Block Book Map No. 1446 of the City and County of San Francisco, Volume 12; and adopting General Plan, Planning Code Section 101.1(b), and environmental findings. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Elsbernd, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,

Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Linus Back in recognition of his Anniversary of his 27 years of service to the City and County of San Francisco.

SPECIAL ORDER 4:00 P.M.

051222 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 899 North Point Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Sections 15303(b) and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3). The proposed project would involve the demolition of a vacant gas station building, approximately 1,650 square feet in size, and construction of a four-story, five-unit residential building. The proposed project would provide seven off-street parking spaces on the ground floor. Entrance and access to the residential units would be from Larkin Street and vehicular entrance and access would be from North Point Street. The project site at 899 North Point Street (Assessor's Block 0026, Lot 020) is approximately 5,469 square feet in size and located on the southeastern corner of North Point and Larkin Streets in the Russian Hill neighborhood on the block bounded by Larkin, North Point, Hyde and Bay Streets. The project site is zoned RH-3 (Residential, House, Three-Family) and is within a 40-X height and bulk district. The project site is also located in the Waterfront Special Use District No. 2, per Section 240.2 of the San Francisco Planning Code. (Appellant: Stephen M. Williams.)

(Filed June 17, 2005; companion measure to Files 051223, 051224, 051225; District 2.)

Continued to October 25, 2005

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

051223 [Affirming the categorical exemption issued for 899 North Point Street]

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to October 25, 2005

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051224 [Disapproving the categorical exemption issued for 899 North Point Street]

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to October 25, 2005

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051225 [Preparation of findings related to the categorical exemption issued for 899 North Point Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to October 25, 2005

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

SPECIAL ORDER 4:00 P.M.

051542 [Public Hearing - Appeal of Categorical Exemption from Environmental Review (Variance Decision) for 2642 and 2644 Hyde Street]

Hearing of persons interested in or objecting to the variance decision of the Planning Department dated July 13, 2005 (Case No. 2004.1312V), exempting from environmental review the proposal to rebuild an existing second-floor balcony within the required rear yard of the existing two-family structure that was originally constructed without a permit. The balcony would be approximately 12 feet wide, 3 feet deep, and set back from each side property line by approximately 5 feet. The balcony would be cantilevered over the rear yard.

The project is located at 2642 and 2644 Hyde Street, east side between Bay and North Point Streets; Lot 017 in Assessor's Block 0027 in an RH-3 (House, Three-Family) District and 40-X Height and Bulk District. (Appellant: Stephen M. Williams.)

(Filed 8/31/05; companion measure to Files 051543, 051544, 051545; District 2.)

The President inquired as to whether or not any member of the public wished to address the Board.

Stephen Williams, Appellant withdrew the appeal.

The President declared the public hearing closed.

Supervisor Maxwell, seconded by Supervisor Ma, moved that this Hearing be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review (variance decision) described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

051543 [Affirming the categorical exemption issued for 2642-2644 Hyde Street]

Motion affirming the determination by the Planning Department that the 2642-2644 Hyde Street project is categorically exempt from environmental

review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Ma, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051544 [Disapproving the categorical exemption issued for 2642-2644 Hyde Street]

Motion disapproving the determination by the Planning Department that the 2642-2644 Hyde Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Ma, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051545 [Preparation of findings related to the categorical exemption issued for 2642-2644 Hyde Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 2642-2644 Hyde Street Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Ma, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

COMMITTEE REPORTS

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Dufty provided the Board with an update on the Mental Health Board on which he represents the Board of Supervisors.

Supervisor Maxwell provided the Board with an update on the California League of Cities on which she represents the Board of Supervisors.

Supervisor Ma provided the Board with an update on the Disaster Council on which she represents the Board of Supervisors.

Supervisor Daly provided the Board with an update on the Urban Counties Caucus on which he represents the Board of Supervisors.

Supervisor Ammiano provided the Board with an update on the Golden Gate Bridge District and Municipal Transportation Authority on which he represents the Board of Supervisors.

Supervisor Elsbernd provided the Board with an update on the Health Service Board on which he represents the Board of Supervisors.

PUBLIC COMMENT

Patricia Vaughey; expressed concern with neighborhood issues relating to issuing of restaurant equipment

Abdullah Megaheed; requested the Board to honor the 9 year old who completed a swim for Alcatraz to San Francisco

James Chaffee; expressed concern with SF Library issues

Fred Solmon; showed support for Item 37

Mike Strickland; expressed concern with the Blue Angels flying over the City

Tony Coleman; showed support for Item 37

Male Speaker; showed support for Item 37

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Supervisor McGoldrick was noted absent at 5:01 p.m.

051632 [Walk to School Day] Supervisor Ma

Resolution declaring October 5, 2005 as "Walk Our Children to School Day" in the City and County of San Francisco.

Enacted Number: 735-05

ADOPTED

051634 [Microenterprise Development Month] Supervisor Ma

Resolution declaring October 2005 as "Microenterprise Development Month" in the City and County of San Francisco.

Enacted Number: 734-05
ADOPTED

051638 [Employment Policies and Procedures Regarding Criminal History] Supervisors Ammiano, Maxwell, Daly, Mirkarimi, Dufty

Resolution urging the Civil Service Commission and the Department of Human Resources to review and revise current policies and procedures where appropriate so that people who have been in prison or convicted of criminal activity are not unreasonably denied City employment.

Enacted Number: 764-05
ADOPTED

051655 [Declaring October 1, 2005, to be Renewable Energy Day in San Francisco] Supervisor Elsbernd

Resolution declaring October 1, 2005, to be Renewable Energy Day in San Francisco.

Enacted Number: 733-05
ADOPTED

051656 [Proclaiming October 2005 as "San Francisco Disaster Preparedness Month"] Supervisors Ma, Dufty

Resolution proclaiming October 2005 as "San Francisco Disaster Preparedness Month".

Enacted Number: 732-05
ADOPTED

051657 [Commending the Second Annual Loveparade San Francisco] Supervisor Mirkarimi

Resolution commending the success of the 2005 Loveparade San Francisco.

Enacted Number: 731-05
ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Alioto-Pier

051658 [Shared Lane Markings on Seventh Avenue] Supervisor Mirkarimi

Resolution urging the Department of Parking and Traffic to complete stenciling Shared Lane Markings on Seventh Avenue between Kirkham Street

and Lincoln Way.

Enacted Number: 765-05

ADOPTED.

051659 [Supporting Federal Legislation H.R. 1492 - Preservation of Historic Confinement Sites] Supervisors Peskin, Mirkarimi

Resolution expressing support for House Resolution 1492, federal legislation to provide for the preservation of the historic confinement sites where Japanese Americans were detained during World War II.

Enacted Number: 729-05

ADOPTED.

051631 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-125

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Alioto-Pier

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Alioto-Pier

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051668 [Expand the Inclusionary Affordable Housing Program to include Buildings of 5 units or more] Supervisor McGoldrick

Ordinance amending the Planning Code by amending Sections 315.2 and 315.3 to expand the application of the Inclusionary Affordable Housing Program to buildings of five units and more.

10/11/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 11/10/2005.

051669 [Prohibition on Smoking in Public Transit Stops and Shelters] Supervisor Ma

Ordinance amending Section 1009.22 of the San Francisco Health Code, to prohibit smoking in public transit stops and shelters.

10/11/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 10/18/05 - Referred to the Youth Commission.

051674 [Settlement of Lawsuit - CCSF et al., v. Myers Natoma Venture, et al.] Mayor, Supervisor Daly

Ordinance authorizing settlement of the eminent domain action filed by the City and County of San Francisco against Myers Natoma Venture, LLC, filed on October 8, 2004 in San Francisco Superior Court, No. 04-435-334; entitled City and County of San Francisco, et al., v. Myers Natoma Venture, LLC, et al.; and authorizing settlement of the lawsuit filed by Myers Natoma Venture and Myers Development Company against the City and County of San Francisco, the Transbay Joint Powers Authority, and the Peninsula Corridor Joint Powers Board, filed on July 16, 2004 in San Francisco Superior Court, No. 04-504-363, entitled Myers Natoma Development, et al., v. City and County of San Francisco, et al., for fifty-eight million dollars ($58,000,000) payable by the Transbay Joint Powers Authority with funding from the San Francisco County Transportation Authority and the Metropolitan Transportation Commission; other material terms of said settlement are that the City and County of San Francisco and the Metropolitan Transportation Commission are to take title to 80 Natoma Street if the Transbay Terminal Project fails to meet deadlines in the Cooperative Agreement for commencement of terminal operations, Myers waives any right to refile claims related to the June 2004 suspension of its permit for 80 Natoma, as well as the terms and conditions as provided in Exhibit A.

10/11/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be considered at the 10/17/05 Special meeting of Government Audit & Oversight Committee.

051675 [Appropriate $800,000 of funding from the General Fund Reserve to the Fire Department for the purchase of fire hydrant caps that will serve as an adapter as part of the city-wide] Supervisor Sandoval

To appropriate $800,000 of funding from the General Fund Reserve to the Fire Department for the purchase of fire hydrant caps that will serve as an adapter as part of the city-wide standardization of its fire hydrants to meet compatibility standards as set forth by the State of California for hydrants and hoses for Fiscal Year 2005-2006.

(Fiscal impact.)

10/11/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051676 [24th Street - Noe Valley Neighborhood Commercial District - full-service restaurants and bars] Supervisor Dufty

Ordinance amending Planning Code Sections 728.41 and 728.42 of the 24th Street - Noe Valley Neighborhood Commercial District to provide for a limited number of new full-service restaurants and new bar uses that satisfy specific requirements and obtain conditional use authorization; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/11/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 11/10/2005.

051684 [To re-appropriate funds from the Mayor's Office to the Treasure Island Development Authority salaries account to fund severance pay and benefits to the Director of Treasure Island] Supervisors Sandoval, Daly

Ordinance re-appropriating $254,500 of salary funds from the Mayor's Office to the Treasure Island Development Authority salaries account to fund severance pay and benefits to the Director of Treasure Island for Fiscal Year 2005 - 2006.

(Fiscal impact.)

10/11/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051685 [Inclusionary Affordable Housing Program] Supervisor Daly

Draft Ordinance amending Planning Code Sections 315.1 to adjust income levels for the Inclusionary Housing Program from Metropolitan Statistical Area Calculations to City and County of San Francisco calculations, and amending Section 315.4 and 315.5 to increase requirements for all residential developments of 10 units or more to provide inclusionary housing units, and making findings.

10/11/05, RECEIVED AND ASSIGNED to Land Use Committee.

051686 [Granting public safety service retirement benefits to district attorneys, public defenders and public defender investigators] Supervisor Sandoval

Draft Ordinance amending the San Francisco Administrative Code by adding Article III, Section ____ through ___, to Chapter 16 to require that the City contract with the Board of Administration of the Public Employees' Retirement System of the State of California to provide that local prosecutors, public defenders and public defender investigators, on or after January 1, 2002, shall be members of the Public Employees' Retirement System pursuant to Code Section 20423.6, and find that such a contract will be cost-neutral to the City.

10/11/05, RECEIVED AND ASSIGNED to Government Audit and Oversight

Committee.

Resolutions

051670 [State funding for California Healthcare for Indigents Program (CHIP) allocation for medical services to indigent persons] Supervisor Ma

Resolution authorizing the Department of Public Health to accept and expend retroactively a grant allocation in the amount of $2,622,282 for Fiscal Year 2005-06 funding from the State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, and personal services; for the period of July 1, 2005, to June 30, 2006.

10/11/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be heard in the next City Operations & Neighborhood Services Committee meeting.

051677 [Grant of Federal Funds - Municipal Transportation Agency] Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to Accept and Expend $65,840,680 of Federal Formula Section 5307 Surface Transportation Program and Congestion Mitigation for Air Quality Capital Assistance for various San Francisco capital projects and activities, excluding Administrative Overhead Costs.

(Fiscal impact.)

10/11/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051678 [Grant of Regional Funds - Municipal Transportation Agency] Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend $2,945,658 of Assembly Bill 664 Funds for San Francisco Municipal Railway Capital Projects, excluding administrative overhead costs.

(Fiscal impact.)

10/11/05, RECEIVED AND ASSIGNED to Land Use Committee.

051679 [Grant of Federal Funds - Municipal Transportation Agency] Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend $23,305,667 Federal Formula Section 5309 Fixed Guideway capital projects and activities, excluding administrative overhead costs.

(Fiscal impact.)

10/11/05, RECEIVED AND ASSIGNED to Land Use Committee.

051680 [STOP Intersections - Cabrillo Street and 4th Avenue] Supervisor McGoldrick

Resolution urging the Department of Parking and Traffic to implement at STOP sign on Cabrillo Street and 4th Avenue, stopping on Cabrillo Street, making this intersection a 4 way STOP.

STOP SIGNS - ESTABLISH
Cabrillo Street and 4th Avenue, stopping Cabrillo Street, making this intersection and All-Way STOP.

10/11/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 10/18/05 - Referred to Parking and Traffic for determination of environmental impact. 10/18/05 - Parking and Traffic notified to post required notices and ad placed in the 10/26/05 edition of the SF Chronicle concerning the 11/7/05 hearing date. 10/27/05 - Response received from Parking and Traffic, exempt from environmental review.

051683 [Judicial Review of the Ogoni Nine] Supervisor Ammiano

Resolution urging the Government of Nigeria to conduct a full judicial review of the trial of the Ogoni Nine, make reparations to the survivors of the Ogoni Nine, increase social spending for the Ogoni and the Niger Delta as a whole, ensure that all members of the security forces receive training in international standards on the use of force and firearms, in particular the 1979 UN Code of Conduct for Law Enforcement Officials and the 1990 UN Basic Principles on the Use of Force and Fire Arms by Law Enforcement Officials.

10/11/05, RECEIVED AND ASSIGNED to Rules Committee.

051687 [Contracting Out City Services - D.A. Victim Witness Program] Supervisor Ammiano

Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract at a cost of $145,751, a lower cost than similar work services performed by City and County employees.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051688 [Treasure Island Development Authority] Supervisor Daly

Resolution urging the Treasure Island Community Developers (TICD) to pay $1.8 million to the Treasure Island Development Authority (TIDA) pursuant to the original Exclusive Negotiating Agreement (ENA), and for TIDA to immediately address the quality of life concerns of residents at Treasure Island.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051689 [Commending Lawrence D. Laterza] Supervisor Dufty

Resolution commending Lawrence D. Laterza for his career as a Licensed Clinical Social Worker in the City and County of San Francisco.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051690 [Opposition to Proposition 74, "Put The Kids First Act"] Supervisors Dufty, Ammiano, Ma

Resolution opposing Proposition 74, "Put The Kids First Act," on the November 8, 2005 special ballot election.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051691 [Opposition to Proposition 75, the "Paycheck Deception Act"] Supervisors Dufty, Ammiano, Ma

Resolution strongly opposing Proposition 75, the "Paycheck Deception Act" on the November 8, 2005 special ballot election.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051692 [Duplication of Health Benefits to City-Employed Spouses and Partners] Supervisors Elsbernd, Ma

Resolution urging the Health Service Board to adopt a rule change that will eliminate the duplication of health benefits to City-employed spouses and partners.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051693 [Oil Drilling Activities] Supervisor Ma

Resolution urging Venoco Inc. and other petroleum and energy interests to not increase their oil drilling activities off the California coast by resuming drilling from Platform Grace, or other expansions, and to issue a public statement confirming this action.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051694 [Opposing Proposition 73, the "Parental Notification and Child Protection Act"] Supervisors Maxwell, Ma

Resolution opposing Proposition 73, otherwise known as the "Parental Notification and Child Protection Act."

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051695 [Accept-Expend Federal Grant - Mayor's Office Supervisor Maxwell

of Criminal Justice (MOCJ) - $100,000]

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $100,000 from the Office of Justice Programs (OJP), Department of Justice for the purpose of supporting activities to reduce the number of violent and drug-related crimes in the designated Weed and Seed area within the Bayview Hunters Point neighborhood.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051696 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ) - $653,368] Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $653,368 from the Bureau of Justice Assistance (BJA), Office of Justice Programs (OJP), Department of Justice for the purpose of supporting activities to reduce the drug problem and violent activity associated with drug activity in San Francisco.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051697 [Zoning - Extension of Planning Commission Review Period - Better Neighborhood Planning] Supervisor McGoldrick

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051698 [Commending Webzine 2005] Supervisor Mirkarimi

Resolution commending Webzine 2005, for promoting independent online publishing.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051699 [Authorizing the Sheriff Department to execute contracts with the State] Supervisor Mirkarimi

Resolution authorizing the Sheriff Department to execute contracts with the California Department of Corrections and Rehabilitation (CDCR) for the care and confinement of inmates/parolees while pending probable cause determination, revocation of parole or being returned to custody.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051700 [Accept and Expend Grant Lead Safe for Kid's Sake Award of Excellence - Fiscal Year 2005-2006; Lead Program at the Mayor's Office of Housing] Supervisors Peskin, Ma

Resolution authorizing the Mayor through the Mayor's Office of Housing to accept and expend a grant of $175,000.00 from the United States Conference of Mayors for outreach, education and testing related to lead hazards in housing in the City and County of San Francisco.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051701 [Condemning William Bennett for his racist comments] Supervisor Sandoval

Resolution condemning former Education Secretary William Bennett `s racist and inflammatory comments on his syndicated radio talk show suggesting that the abortion of African American babies would reduce the country's crime rate.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

051671 [DPT's protest process for parking ticket citations] Supervisor Ma

Hearing to review and discuss the Department of Parking and Traffic's protest process for parking ticket citations, including, but not limited to, the current amount of time it takes to evaluate a protested citation.

10/11/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051672 [Office of Emergency Services] Supervisor Ma

Hearing to review the progress made at the Office of Emergency Services over the past year, included but not limited, to the expansion of disaster preparedness plans and the increase in coordination with state and federal agencies responsible for disaster management.

10/11/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051673 [Strike at California Pacific Medical Center] Supervisor Peskin

Hearing to be updated on the strike at California Pacific Medical Center (CPMC).

10/11/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be considered at the 10/17/05

meeting.

051681 [SFPUC's Water System Improvement Program] Supervisor McGoldrick

Hearing to review the Water System Improvement Program (WSIP) conducted by the San Francisco Public Utilities Commission (SFPUC).

10/11/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motion

051682 [Amending Rules 3.7 and 3.8 of the Rules of Order of the San Francisco Board of Supervisors governing the reporting of legislation from Board Committees to the Board] Supervisor Peskin

Motion amending Rules 3.7 and 3.8 of the Rules of Order of the Board of Supervisors to provide that Board Committees have until 9:00 a.m. on Thursdays to report legislation to the Board for the following Tuesday's Board meeting.

10/11/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

051586 [Settlement of Lawsuit - Microsoft Corporation, et al.]

Ordinance authorizing settlement of the class-action lawsuit filed by the City and County of San Francisco against Microsoft Corporation for $1,000,000; the lawsuit was filed on August 27, 2004 in San Francisco Superior Court; entitled City and County of San Francisco, et al., v. Microsoft Corporation, et al.; Microsoft removed the action to federal court and then transferred the action to the United States District Court for the District of Maryland. (City Attorney)

9/20/05, RECEIVED AND ASSIGNED to Rules Committee.

051598 [Settlement of Lawsuit - King C. Electric, Inc.]

Ordinance authorizing settlement of the lawsuit filed by King C. Electric, Inc. against the City and County of San Francisco according to the following terms: a) King C. Electric, Inc. ("KCE") pays one hundred nine thousand one hundred eighty-five dollars and ninety-three cents ($109,185.93) to the City; b) the City pays seventy-eight thousand nine hundred eighty-three dollars and twenty-one cents ($78,983.21) to KCE; and c) KCE is debarred from performing construction contracts on City-owned projects for two and a half years. The lawsuit was filed on April 14, 2004 in the Superior Court of the City and County of San Francisco, Case No. CGC-04-430671; entitled King C. Electric, Inc. v. City and County of San Francisco et al. and related

cross-action. (City Attorney)

9/23/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

051585 [Acceptance of Subsurface Easement at 2-4 Winfield Street]

Resolution authorizing the acceptance of a permanent subsurface easement at 2-4 Winfield Street, Assessor's Block 5661, Lot 001 for tie-back rods connected to a City-constructed retaining wall. (Real Estate Department)

9/22/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051587 [Approval of the Substance Abuse and Crime Prevention Act of 2000 - Implementation Plan] Supervisor Mirkarimi

Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2005-2006. (Public Health Department)

9/20/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Department requests this item be considered at the October 3, 2005 meeting.

10/11/05, ADOPTED.

Supervisor Mirkarmi requested to be added as co-sponsor.

051589 [Traffic Regulations] Supervisor Daly

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY - RESCIND
RIGHT TURN ONLY ONTO SAN JOSE AVENUE - ESTABLISH
Brook Street, westbound, at San Jose Avenue

NO TURN ON RED - ESTABLISH
Sacramento Street, westbound at Stockton Street; and,
Stockton Street, southbound, at Sacramento Street (to facilitate the installation of pedestrian scramble).

ONE-WAY STREET (NORTHBOUND) - RESCIND
ONE-WAY STREET (SOUTHBOUND) - ESTABLISH
Ritch Street, between Brannan and Bryant Streets (200 block). (Parking and Traffic Department)

9/23/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 10/18/05 - Parking and Traffic notified to post required notices and ad placed in the 10/26/05 edition of the SF Chronicle concerning the 11/7/05 hearing date. Supervisor Daly requested to be added as sponsor.

051597 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Alameda Street, both sides, between Potrero Avenue and Utah Street; and, Utah Street, west side, between Alameda and 15th Streets.

2-HOUR PARKING, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Marin Street, both sides, from Evans Avenue easterly to the terminus.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Langton Street, both sides, from Bryant Street to 272 feet southerly (the end of the public right-of-way (300 block)).

SIDEWALK WIDTH - REDUCE
PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Ingerson Avenue, south side, from 40 feet to 100 feet east of 3rd Street (sidewalk would be reduced from being 25 feet to 15 feet wide).

DIAGONAL (45-DEGREE ANGLE) PARKING - ESTABLISH
Brannan Street, northeast side, from approximately 103 feet east of Colin P. Kelly, Jr. Street to approximately 36 feet west of Delancey Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Folsom Street, north side, from 1st Street to 140 feet westerly. (Parking and Traffic Department)

9/23/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 10/18/05 - Parking and Traffic notified to post required notices and ad placed in the 10/26/05 edition of the SF Chronicle concerning the 11/7/05 hearing date.

051599 [Official Advertising - Type 1 for Consecutive Day Publication and Type 2 for Non-Consecutive Day Publication]

Resolution designating the San Francisco Chronicle and Examiner to be the official newspapers of the City and County of San Francisco for the category of Type 1 consecutive day, and Type 2 non consecutive day official advertising services for the fiscal year commencing upon Board of Supervisors and Mayoral approval and ending June 30, 2006. (Office of Contract Administration)

9/23/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051603 [Port of San Francisco Proposed Piers 27-31 Mixed Use Recreation Project Fiscal Feasibility]

Resolution adopting findings that the proposed Piers 27-31 Mixed Use Recreation Project is fiscally feasible and responsible under Administrative Code Chapter 29. (Port)

(Fiscal impact.)

10/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051660 [Settlement of Claim - Louis Vuitton, Inc.]

Resolution approving the settlement of the unlitigated claim filed by Louis Vuitton, Inc., against City and County of San Francisco for $93,000.00. (City Attorney)

10/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051661 [Settlement of Lawsuit - Walter Reed]

Ordinance authorizing the settlement of a lawsuit filed by Walter Reed against the City and County of San Francisco for $36,000.00; the lawsuit was filed on December 15, 2003, in San Francisco Superior Court, Case No. 414322, entitled Walter Reed v. City and County of San Francisco, et al. (City Attorney)

10/3/05, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Ma

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requesting the Municipal Transportation Agency (MTA) to provide (1) the current incident report on light rail lines in mixed traffic, specifically the L-Taroval and N-Judah lines, and if the new Transit Safe program is helping with tracking and reporting; (2) current efforts to enforce safety laws, such as requiring vehicles to stop for light rail vehicles; and (3) if additional managers have been considered to ensure safety.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of establishing a crosswalk at the intersection of Rose St. and Buchanan.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing patholes in the northwest portion of the intersection of Geary Boulevard and Divisadero Street.

From: Supervisor Mirkarimi

To: Chief, San Francisco Fire Department

Requesting/Inquiring: Requesting the San Francisco Fire Department to report on the status of the Old Station Fire House #21, located at 1152 Oak Street. Specifically, how much is the occupant paying, how much has been paid as well as the terms of occupancy, including any in-kind contributions or labor in improving or modifying said property.

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation to amend the administrative code in relation to the use of ultra low sulfur diesel fuel and the best available technology by non-road vehicles in city constructions to reduce construction equipment pollution.

From: Supervisor Elsbernd

To: Director, Department

Zareh Soghikian - Supervisor Ammiano

Tyler Brown - Supervisor Ammiano

Judge Constance Baker Motley - Supervisor Sandoval

Charles Baldain - Supervisor Maxwell

Thomas W. Shaini - Supervisor Ma

Kevin Dullea - Supervisor Sandoval

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:09 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 8, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Disability access

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999 2005 City & County of San Francisco. All rights reserved.

Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT
NOV 29 2005
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, October 18, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick.*

Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll the following Supervisor Dufty was noted absent.

Supervisor Dufty was noted present at 2:07 p.m.

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

051382 [Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) - include Entertainment Commission and Emergency Medical Services in review process] Supervisor Daly

Ordinance amending San Francisco Traffic Code Section 800 to include the Entertainment Commission as part of the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT); amending Section 801 to require emergency medical services plans for "major events" and the inclusion of the Director of Emergency Medical Services and Emergency Operations Section (EMSEO) in approval process for major event applications; amending Section 802 to expand definition of "major events" to include street fairs; amending Section 804 to require Clerk of the Board of Supervisors to transmit copies of any legislation approving a temporary street closing for major events to the Director of EMSEO; amending Section 806 to include the Executive Director of the Entertainment Commission in the review process of applications for temporary use of streets for street fairs; amending San Francisco Administrative Code Section 90.4 to require permit applicants for major events to submit an emergency medical services plan to the Entertainment Commission for consideration in the approval of permit applications for major events.

Enacted Number: 242-05
FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

051522 [To de-appropriate current capital project appropriations to reflect updated sources and uses of capital project funding] Mayor

Ordinance de-appropriating $287,977,266 of existing sources and uses authority for various San Francisco International Airport (SFIA) capital project funding to reflect actual sources of funding available to support the Five-Year Capital Plan, Fiscal Year 2004-05 through Fiscal Year 2008-09.

(Fiscal impact.)

Enacted Number: 245-05
FINALLY PASSED

051529 [To appropriate capital project funding to reflect updated sources and uses appropriation consistent with the priorities outlined in the San Francisco International Airport's Five-Year Mayor

Ordinance appropriating $243,723,524 in total sources and uses, including the de-appropriation of $125,321,506 in current project funding to use this source for appropriation, as well as appropriating an additional $26,055,079 of available Airport fund balance, $59,588,300 of grant authorization to accept and expend funds from the Federal Aviation Administration for projects related to security, runway and taxiway construction and improvements, $23,182,388 of grant authorization to accept and expend funds from the California Department of Transportation (Caltrans) for viaduct construction, and $9,576,251 in interest income. These various sources and uses are herein appropriated for various San Francisco International Airport (SFIA) capital projects as detailed below to reflect the updated San Francisco International Airport Five-Year Capital Plan, Fiscal Year 2004-05 through Fiscal Year 2008-09. Of the $243,723,524 appropriated, $24,970,000 for the Westfield Cargo Redevelopment project is herein placed on reserve.

(Fiscal impact.)

Enacted Number: 244-05
FINALLY PASSED

Recommendations of the Land Use Committee

051248 [Sacramento Street Neighborhood Commercial District - Allowing residential conversion on second and third stories with a conditional use permit] Supervisor Alioto-Pier

Ordinance amending Section 724.1 of the Planning Code to allow, as a conditional use, for conversion of upper floor residential units in the Sacramento Street Neighborhood Commercial District as a conditional use, where: the new use will be an Other Institution, Large, Educational Services use, only one dwelling unit in building will be converted and that unit is the only non-residential use in the building, and no legally residing tenant will be displaced; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 243-05

FINALLY PASSED

051554 [Abolition of legislated setback for 301-323 14th Avenue] Supervisor McGoldrick

Ordinance amending the San Francisco Planning Code by abolishing the legislated front setback of the southeastern portion of the property located at 301-323 14th Avenue, identified as Assessor's Block No. 1446, Lot No. 054 (formerly Lots 001, 004, 006, 053), as shown on Block Book Map No. 1446 of the City and County of San Francisco, Volume 12; and adopting General Plan, Planning Code Section 101.1(b), and environmental findings. (Planning Department)

Enacted Number: 241-05

FINALLY PASSED

Recommendation of the Budget and Finance Committee

051609 [Mortgage Credit Certificates] Supervisors Ma, Elsbernd

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

Enacted Number: 726-05

ADOPTED

Recommendations of the Rules Committee

051704 [Appointment - Treasury Oversight Committee]

Resolution appointing Scott MacDonald, term ending June 5, 2009, to the Treasury Oversight Committee.

Scott MacDonald, succeeding Leonardo Fermin, resigned, seat 4, must represent the public at large, for the unexpired portion of a four-year term ending June 5, 2009.

Enacted Number: 728-05
ADOPTED

051705 [Appointment - Bicycle Advisory Committee]

Resolution appointing Frank Chan, term ending November 19, 2006, to the Bicycle Advisory Committee.

Frank Chan, succeeding Dianna Waggoner, seat 3, must be a nominee of District 3 Supervisor. The member shall serve a two-year term or for the tenure of the supervisor who nominated the member, whichever is shorter in duration, for the unexpired portion of a two-year term ending November 19, 2006.

Enacted Number: 749-05
ADOPTED

051706 [Appointment - Graffiti Advisory Board]

Resolution appointing Milo Hanke, term indefinite, to the Graffiti Advisory Board.

Milo Hanke, succeeding Julie Viera, resigned, seat 4, must represent a nonprofit organization who provides services related to the City's beautification and neighborhood cleanup programs, for an indefinite term.

Enacted Number: 748-05
ADOPTED

051709 [Appointment - Community Choice Aggregation Citizens Advisory Task Force]

Resolution appointing Maurice Campbell, term ending May 31, 2006, to the Community Choice Aggregation Citizens Advisory Task Force.

Maurice Campbell, new appointment, seat 3, must be an environmental justice advocate currently residing in the southeast sector of San Francisco, for the unexpired portion of a two-year term ending May 31, 2006.

Enacted Number: 727-05
ADOPTED

051707 [Appointment - Local Homeless Coordinating Board]

Resolution appointing Laura Guzman, L.S. Wilson, Jr., Barbara Blong and Rev. Harry Chuck, for a term to be determined, to the Local Homeless Coordinating Board, residency requirement waived.

Laura Guzman (residency waiver required), new appointment, seat 1, must be a member of the disabled community, for a term to be determined. L.S. Wilson, Jr., new appointment, seat 2, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for a term to be determined. Barbara Blong, new appointment, seat 3, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for a term to be determined. Rev. Harry Chuck, new appointment, seat 4, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for a term to be determined.

Enacted Number: 747-05
ADOPTED

051708 [Appointment - Shelter Monitoring Committee]

Resolution appointing Maxine Pauson and Dorothy Harris, terms ending November 23, 2006, to the Shelter Monitoring Committee.

Maxine Pauson, succeeding Bruce Allison, resigned, seat 1, must be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2006. Dorothy Harris, succeeding Jesus Medellin, resigned, seat 6, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people, for the unexpired portion of a two-year term ending November 23, 2006.

Enacted Number: 746-05
ADOPTED

051592 [Appointment - Pedestrian Safety Advisory Committee]

Resolution appointing Anna Zacher, Pi Ra, Aileen Carrigan, terms ending March 28, 2007, and Anwar Mai, term ending March 28, 2006, to the Pedestrian Safety Advisory Committee.

Anna Zacher, succeeding Susan Vaughn, term expired, seat 2, must be a representative from a pedestrian safety organization, for the unexpired portion of a two-year term ending March 28, 2007. Pi Ra, succeeding himself, term expired, seat 6, must be a representative from bicycle or other non-motorized wheeled personal transport organization, for the unexpired portion of a two-year term ending March 28, 2007. Aileen Carrigan, succeeding Ed Franklin, term expired, seat 10, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2007. Anwar Mai, succeeding Sharon Priest, resigned, seat 11, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2006.

Enacted Number: 757-05

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

050253 [Proposition 65 Ordinance - Safe Drinking Water and Toxic Enforcement Act of 1986] Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code by adding Section 456.6, to require the Department of Public Health to Enforce the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) and its implementing regulations with respect to foods which are subject to a state or federal Department of Health and Human Services, Food and Drug Administration, or Environmental Protection Agency safety advisory where said advisory is regarding a substance included on the Proposition 65 list issued by the State of California Environmental Protection Agency and to require certain food establishments to provide Proposition 65 warnings in English, Spanish, and Chinese.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051458 [Public Works Code - landmark trees and penalties for violations] Supervisor McGoldrick

Ordinance amending the Public Works Code by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

Continued to November 1, 2005

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

050883 [Designating a sole source contractor for the art elements of the 24th and York Mini Park] Supervisor Ammiano

Ordinance designating Precita Eyes Muralists as the sole source contractor for the art elements of the 24th and York Mini Park and waiving the competitive procurement requirements of San Francisco Administrative Code Chapter 6 for these services.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051250 [Medical cannabis guidelines and medical cannabis dispensary zoning and permitting] Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.131, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house and residential-mixed zoning districts; prohibit new medical cannabis dispensaries in neighborhood commercial cluster (NC-1) districts; permit dispensaries elsewhere subject to restrictions based on a dispensary's proximity to schools, community centers, and facilities providing substance abuse services that are licensed or certified by the State of California or funded by the Department of Public Health; require adequate ventilation in dispensaries; prohibit the sale or distribution of alcohol at dispensaries; require Planning Department notice to interested individuals and properties within 300 feet of proposed dispensaries; require dispensaries operating as of April 1, 2005 to obtain a permit within 18 months of the effective date of this legislation or must cease operations; require dispensaries beginning operation after April 1, 2005 but before the effective date of this legislation to cease operations; require a notice that permits for dispensaries are not intended to and do not authorize the violation of State or Federal law; and make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan;
Amending the San Francisco Health Code by adding Sections 3200 through 3220, to: set medical cannabis possession guidelines; require a permit, business license, and business registration certificate for a medical cannabis dispensary; set out the application process for a medical cannabis permit; set out operating requirements for medical cannabis dispensaries; and set out the administrative process for imposing penalties and/or permit suspension or revocation for violations;
Amending the San Francisco Traffic Code by amending Sections 53 and 132, to create an infraction for double parking in front of a medical cannabis dispensary and set the fine at $100; and,
Amending the San Francisco Business and Tax Regulations Code by amending Section 1 to add Section 1.177 to authorize the Department of Health to issue medical cannabis dispensary permits.

(Fiscal impact.) (Supervisor Elsbernd dissented in Committee.)

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved an amendment of the whole.

Supervisor Daly requested to divide the question of amending Sections 3204g &3214a.

The question was divided.

The motion to amend without Sections 3204g and 3214a was passed by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

The motion to amend Sections 3204g and 3214a was passed by the following vote:

Ayes: 11- Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Daly, seconded by Supervisor Maxwell, moved to strike reference to the City Planning code.

Motion to amend failed by the following vote:

Ayes: 2 - Daly, Maxwell

Noes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Daly moved to amend Section 3205 (b) to add language making planning recommendations advisory only.

Failed for lack of second

Supervisor Daly moved to amend on page 44, by striking lines 11-15 relating to maintaining of records.

Failed for lack of second.

Supervisor Daly moved to amend on page 47 line 10, to add language relating to verifying physicions recommendations.

Failed for lack of second.

Supervisor Daly moved to amend on page 48, line 15 to add language relating to existing clubs not being closed.

Failed for lack of second

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to amend on page 44 by striking lines 23 & 24; on page 45 by striking lines 1-3.

The motion to amend failed passed by the following vote:

Ayes: 4 - Alioto-Pier, Elsbernd, Ma, Maxwell

Noes: 7- Ammiano, Daly, Dufty, McGoldrick, Mirkarimi, Peskin, Sndoval

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to amend to add to

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the

following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.131, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house residential-mixed zoning districts, industrial districts, and certain mixed use districts; prohibit new medical cannabis dispensaries in neighborhood commercial cluster (NC-1) districts; permit dispensaries elsewhere subject to restrictions based on a dispensary's proximity to schools, community centers, and facilities providing substance abuse services that are licensed or certified by the State of California or funded by the Department of Public Health; require adequate ventilation in dispensaries; prohibit the sale or distribution of alcohol at dispensaries; require Planning Department notice to interested individuals and properties within 300 feet of proposed dispensaries; require the Planning Commission to hold a discretionary review hearing on each medical cannabis dispensary application; require dispensaries operating as of April 1, 2005 to obtain a permit within 18 months of the effective date of this legislation or must cease operations; require dispensaries beginning operation after April 1, 2005 but before the effective date of this legislation to cease operations; require a notice that permits for dispensaries are not intended to and do not authorize the violation of State or Federal law; and make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan;
Amending the San Francisco Health Code by adding Sections 3200 through 3220, to: set medical cannabis possession guidelines; require a permit, business license, and business registration certificate for a medical cannabis dispensary; set out the application process for a medical cannabis permit; set out operating requirements for medical cannabis dispensaries including signage and advertising requirements; and set out the administrative process for imposing penalties and/or permit suspension or revocation for violations;
Amending the San Francisco Traffic Code by amending Sections 53 and 132, to create an infraction for double parking in front of a medical cannabis dispensary and set the fine at $100; and,
Amending the San Francisco Business and Tax Regulations Code by amending Section 1 to add Sections 1.177 to authorize the Department of Health to issue medical cannabis dispensary permits.

Continued as amended to October 25, 2005.

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Daly, Elsbernd, Ma, Maxwell, Sandoval
Noes: 5 - Ammiano, Dufty, McGoldrick, Mirkarimi, Peskin

Recommendation of the Rules Committee

050867 [San Francisco Community Health Joint Powers Authority Conflict of Interest Code] Supervisor Ammiano

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by adding section 3.1-417 to create a conflict of interest code for the San Francisco Community Health Joint Powers Authority.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Privilege of the Floor

Supervisor Peskin welcomed, introduced and presented a Certificate of Honor to Johnny Wilson for being the youngest person to swim across the Bay from Alcatraz and for raising $30,000 for victims of Katrina.

SPECIAL ORDER 4:00 P.M.

051627 [Public Hearing - Appeal of Categorical Exemption for 1070 Sanchez Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 28, 2005 (Case No. 2004.0810E), exempting from environmental review the proposal to demolish an existing, two-story, single-family structure, and construct in its place a four-story, two unit building. The existing building is about 29-feet-tall and contains approximately 950 gross square feet (gsf), with two bedrooms, and two independently accessible parking spaces. The new building would be about 40 feet tall, four-stories, about 4,934, gsf of space, containing two dwelling units (with three bedrooms each), and two, independently accessible parking spaces. The net change in gross square footage for the site would be an increase of about 3,984 gsf; there would be no net change in number of parking spaces. According to the project sponsor, there is a 9-inch diameter camellia, a 23-inch hemlock and an unidentified 33-inch tree on site. The camellia and hemlock would be removed and the 33-inch tree would remain with the project. According to the Historical Resource Evaluation Report, the structure was likely constructed in 1887, as the water records show a

hookup date of August 26, 1887. The building is not included in any survey or inventory, and has been determined not to be an historical resource under CEQA.

The approximately 2,539 sq. ft. project site is located at 1070 Sanchez Street, west side of Sanchez Street, between Elizabeth Street and 24th Street, in the Noe Valley neighborhood of San Francisco; Lot 3 in Assessor's Block 3654 in an RH-3 (House, Three-Family) District and 40-X Height and Bulk District. (Appellant: Tracey Hughes)

(Filed 9/23/05; companion measure to Files 051628, 051629, 051630; District 2.)

The President inquired as to whether or not any member of the public wished to address the Board.

Tracey Hughes, appellant

Joe Butler, Architect for appellant

Carolyn Lam, support of appellant

Mary Bishop, support of appellant

Female speaker, support of appellant

Chris Buck, support of appellant

Carol Roos, Lisa Gibson, Mark Luellan, representatives of the Planning Department reviewed with the Board the Planning recommendations.

Alice Barkley, attorney for the project sponsor.

Angus McCarthy, support of project sponsor

Joe O'Donoghue, support of project sponsor

Rebuttal Period: Tracey Hughes, appellant and Joe Butler

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

051628 [Affirming the categorical exemption issued for 1070 Sanchez Street]

Motion affirming the determination by the Planning Department that the 1070 Sanchez Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M05-126

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051629 [Disapproving the categorical exemption issued for 1070 Sanchez Street]

Motion disapproving the determination by the Planning Department that the 1070 Sanchez Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051630 [Preparation of findings related to the categorical exemption issued for 1070 Sanchez Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1070 Sanchez Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M05-127

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

From the Budget and Finance Committee

051747 [Setting a permit application fee and an annual license fee for medical cannabis dispensaries] Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code to add Section 3204 setting an application fee for a medical cannabis dispensary permit and

amending the Business and Tax Regulations Code to add Section 249.17 to provide for an annual license fee for permitted medical cannabis dispensaries.

Amended by replacing S6.110 with S6.691.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ma

Continued as amended to October 25, 2005.

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051636 [Expend Federal Funding - Community Development Block Grant] Supervisors Ammiano, Maxwell

Resolution approving the expenditure of One Million Five Hundred Sixty-five Thousand Five Hundred and Seventeen Dollars and Nineteen Cents ($1,565,517.19) of Community Development Block Grant Funds.

Enacted Number: 756-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Government Audit and Oversight Committee

Supervisor McGoldrick Excused From Voting

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to excuse Supervisor McGoldrick, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Appointment of President Pro Tempore

At the request of the President, Supervisor Ammiano assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

051603 [Port of San Francisco Proposed Piers 27-31 Mixed Use Recreation Project Fiscal Feasibility]

Resolution adopting findings that the proposed Piers 27-31 Mixed Use Recreation Project is fiscally feasible and responsible under Administrative Code Chapter 29. (Port)

(Fiscal impact.)

NOT ADOPTED by the following vote:

Ayes: 1 - Elsbernd
Noes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

051674 [Settlement of Lawsuit - CCSF et al., v. Myers Natoma Venture, et al.] Mayor, Supervisor Daly

Ordinance authorizing settlement of the eminent domain action filed by the City and County of San Francisco against Myers Natoma Venture, LLC, filed on October 8, 2004 in San Francisco Superior Court, No. 04-435-334; entitled City and County of San Francisco, et al., v. Myers Natoma Venture, LLC, et al.; and authorizing settlement of the lawsuit filed by Myers Natoma Venture and Myers Development Company against the City and County of San Francisco, the Transbay Joint Powers Authority, and the Peninsula Corridor Joint Powers Board, filed on July 16, 2004 in San Francisco Superior Court, No. 04-504-363, entitled Myers Natoma Development, et al., v. City and County of San Francisco, et al., for fifty-eight million dollars ($58,000,000) payable by the Transbay Joint Powers Authority with funding from the San Francisco County Transportation Authority and the Metropolitan Transportation Commission; other material terms of said settlement are that the City and County of San Francisco and the Metropolitan Transportation Commission are to take title to 80 Natoma Street if the Transbay Terminal Project fails to meet deadlines in the Cooperative Agreement for commencement of terminal operations, Myers waives any right to refile claims related to the June 2004 suspension of its permit for 80 Natoma, as well as the terms and conditions as provided in Exhibit A.

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance authorizing settlement of the eminent domain action filed by the City and County of San Francisco against Myers Natoma Venture, LLC, filed on October 8, 2004 and amended on November 5, 2004, in San Francisco Superior Court, No. 04-435-334; entitled City and County of San Francisco, et al., v. Myers Natoma Venture, LLC, et al.; and authorizing settlement of the lawsuit filed by Myers Natoma Venture and Myers Development Company against the City and County of San Francisco, the Transbay Joint Powers

Authority, and the Peninsula Corridor Joint Powers Board, filed on July 16, 2004 in San Francisco Superior Court, No. 04-504-363, entitled Myers Natoma Development, et al., v. City and County of San Francisco, et al., for fifty-eight million dollars ($58,000,000) payable by the Transbay Joint Powers Authority with funding from the San Francisco County Transportation Authority and the Metropolitan Transportation Commission; other material terms of said settlement are that the San Francisco County Transportation Authority and the Metropolitan Transportation Commission are to take title to 80 Natoma Street if the Transbay Terminal Project fails to meet deadlines in the Cooperative Agreement for commencement of terminal operations, Myers waives any right to refile claims related to the June 2004 suspension of its permit for 80 Natoma, as well as the terms and conditions as provided in Exhibit A.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CLOSED SESSION

CONFERENCE WITH THE CITY ATTORNEY

051702 [Closed Session - Existing Litigation City as Plaintiff and Defendant]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding proposed settlements in the following pending litigation in which, in sum, the City and County moved for eminent domain to obtain property located at 80 Natoma Street in San Francisco, near the site of the Transbay Terminal, and the property owner(s) have filed related litigation against the City.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending litigation listed below.

City and County of San Francisco, et al., v. Myers Natoma Venture, LLC, et al., S. F. Superior Court No. 04-435-334 (filed October 8, 2004)
Myers Natoma Development, et al., v. City and County of San Francisco, et al., S. F. Superior Court No. 04-504-363 (filed July 16, 2004) (City Attorney)

Supervisor McGoldrick, seconded by Supervisor Daly, moved to convene in Closed Session. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recess

The Board recessed at the hour of 7:45 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 8:05 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly,

Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval - 11

Report on Closed Session

Deputy City Attorney Cheryl Adams, reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9(a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

Persons in attendance: Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Cheryl Adams, Deputy City Attorney

Ed Harrington, Controller

Audrey Pearson, Deputy City Attorney

Andrew Schwartz, Outside Counsel

Gloria L. Young, Clerk of the Board

Kay Gulbengay, Deputy Clerk

The meeting was informational only and no action was taken.

[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; expressed interest with homeless issues

Spencer; invited the Board to attend the "We Can't Wait" Drive the Bush Regime"

Former Supervisor Tony Hall; updated the Board on the recent Treasure Island Development plan

James Chaffe; expressed concern with issues relating to the SF Library

John DiDonna: expressed concern with the Blue Angels

Joe O'Donoghue; expressed concern with issues relating to the Tax Assessor files

Ace Washington; showed support for the Board meeting relating to gun and gang violence

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051687 [Contracting Out City Services - D.A. Victim Witness Program] Supervisor Ammiano

Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract at a cost of $145,751, a lower cost than similar work services performed by City and County employees.

Enacted Number: 755-05

ADOPTED

051688 [Treasure Island Development Authority] Supervisor Daly

Resolution urging the Treasure Island Community Developers (TICD) to pay $1.8 million to the Treasure Island Development Authority (TIDA) pursuant to the original Exclusive Negotiating Agreement (ENA), and for TIDA to immediately address the quality of life concerns of residents at Treasure Island.

Enacted Number: 763-05
ADOPTED

051689 [Commending Lawrence D. Laterza] Supervisor Dufty

Resolution commending Lawrence D. Laterza for his career as a Licensed Clinical Social Worker in the City and County of San Francisco.

Enacted Number: 754-05
ADOPTED

051690 [Opposition to Proposition 74, "Put The Kids First Act"] Supervisors Dufty, Ammiano, Ma

Resolution opposing Proposition 74, "Put The Kids First Act," on the November 8, 2005 special ballot election.

Enacted Number: 761-05
ADOPTED

051691 [Opposition to Proposition 75, the "Paycheck Deception Act"] Supervisors Dufty, Ammiano, Ma

Resolution strongly opposing Proposition 75, the "Paycheck Deception Act" on the November 8, 2005 special ballot election.

Enacted Number: 760-05
ADOPTED

051693 [Oil Drilling Activities] Supervisor Ma

Resolution urging Venoco Inc. and other petroleum and energy interests to not increase their oil drilling activities off the California coast by resuming drilling from Platform Grace, or other expansions, and to issue a public statement confirming this action.

Enacted Number: 759-05
ADOPTED

051694 [Opposing Proposition 73, the "Parental Notification and Child Protection Act"] Supervisors Maxwell, Ma

Resolution opposing Proposition 73, otherwise known as the "Parental Notification and Child Protection Act."

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 762-05
ADOPTED

051697 [Zoning - Extension of Planning Commission Review Period - Better Neighborhood Planning] Supervisor McGoldrick

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

Enacted Number: 753-05
ADOPTED

051698 [Commending Webzine 2005] Supervisor Mirkarimi

Resolution commending Webzine 2005, for promoting independent online publishing.

Enacted Number: 752-05
ADOPTED

051699 [Authorizing the Sheriff Department to execute contracts with the State] Supervisor Mirkarimi

Resolution authorizing the Sheriff Department to execute contracts with the California Department of Corrections and Rehabilitation (CDCR) for the care and confinement of inmates/parolees while pending probable cause determination, revocation of parole or being returned to custody.

Enacted Number: 751-05
ADOPTED

051700 [Accept and Expend Grant Lead Safe for Kid's Sake Award of Excellence - Fiscal Year 2005-2006; Lead Program at the Mayor's Office of Housing] Supervisors Peskin, Ma

Resolution authorizing the Mayor through the Mayor's Office of Housing to accept and expend a grant of $175,000.00 from the United States Conference of Mayors for outreach, education and testing related to lead hazards in housing in the City and County of San Francisco.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 750-05
ADOPTED

051701 [Condemning William Bennett for his racist comments] Supervisor Sandoval

Resolution condemning former Education Secretary William Bennett `s racist and inflammatory comments on his syndicated radio talk show suggesting that the abortion of African American babies would reduce the country's crime rate.

Enacted Number: 758-05
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed From Without Reference to Committee Agenda

Supervisor Daly requested that this be severed so that it might be considered separately.

051692 [Duplication of Health Benefits to City-Employed Spouses and Partners] Supervisors Elsbernd, Ma

Resolution urging the Health Service Board to adopt a rule change that will eliminate the duplication of health benefits to City-employed spouses and partners.

Supervisor Daly requested that this matter be referred to Committee.

Supervisor Ma requested to be added as a co-sponsor.

REFERRED to the Rules Committee.

Supervisor Elsbernd requested that the following two items be severed so that they might be considered separately.

051695 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ) - $100,000] Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $100,000 from the Office of Justice Programs (OJP), Department of Justice for the purpose of

supporting activities to reduce the number of violent and drug-related crimes in the designated Weed and Seed area within the Bayview Hunters Point neighborhood.

Supervisor Elsbernd requested that this matter be referred to Committee.

REFERRED to the Budget and Finance Committee.

051696 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ) - $653,368] Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $653,368 from the Bureau of Justice Assistance (BJA), Office of Justice Programs (OJP), Department of Justice for the purpose of supporting activities to reduce the drug problem and violent activity associated with drug activity in San Francisco.

Supervisor Elsbernd requested that this matter be referred to Committee.

REFERRED to the Budget and Finance Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Dufty, moved ADOPTION of the Commendatory Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051717 [Commending Deputy City Attorney John Cooper] Supervisors Daly, Dufty

Resolution commending John Cooper for his work as a Deputy City Attorney.

Enacted Number: 745-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051715 [Better Streets Policy] Mayor, Supervisor McGoldrick

Ordinance amending the Administrative Code to add Chapter 98, the Better Streets Policy; making environmental findings; authorizing and urging official acts in furtherance of this Ordinance; and requesting General Plan amendments to incorporate the Better Streets Policy and its supporting principles.

10/18/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 11/17/2005. 10/26/05 - Referred to Planning for determination of environmental impact.

051720 [Limousines operating as unlicensed taxicabs; inspection of limousine waybills; criminal and administrative penalties] Supervisor Elsbernd

Ordinance amending the San Francisco Police Code by: (1) repealing current Section 1165, dealing with local licensing of limousines; (2) amending Section 1078, to re-state the prohibition on limousines acting as unlicensed taxicabs within San Francisco; (3) adding a new Section 1165, pursuant to California Public Utilities Code Section 5371.4(i), to authorize police officers to inspect limousine waybills and make violation an infraction; (4) amending Section 1185, to correct certain misdemeanor penalties and increase infraction penalties for violation of Section 1078; and (5) adding Section 1187.1, to authorize imposition of administrative penalties against persons operating a motor vehicle as a taxicab without a permit.

10/18/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 11/17/2005. 10/26/05 - Referred to the Small Busness Commission.

051721 [Zoning - Interim Moratorium on New Check Cashing and Pay Day Lender Uses] Supervisors Ammiano, Maxwell, Dufty, Daly

Urgency Ordinance approving an interim zoning moratorium on new check cashing and pay day lender uses for 45 days and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section

101.1, and environmental findings.

10/18/05, ASSIGNED to Land Use Committee.

051724 [Personal Services Minimum Contractual Rate Ordinance] Supervisor Daly

Ordinance amending the San Francisco Administrative Code by adding Chapter 12V, Sections 12V.1 through 12V.5, to: require entities that contract for personal services to compensate the providers of those services at a rate per hour of no less than the City's Minimum Wage rate and maintain records, designate the City's Office of Labor Standards Enforcement as the enforcement agency, and establish investigation, enforcement and administrative appeals procedures.

10/18/05, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 11/17/2005.

Resolutions

051692 [Duplication of Health Benefits to City-Employed Spouses and Partners] Supervisors Elsbernd, Ma

Resolution urging the Health Service Board to adopt a rule change that will eliminate the duplication of health benefits to City-employed spouses and partners.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

10/18/05, REFERRED to Rules Committee. Supervisor Daly requested that this matter be referred to Committee. Supervisor Ma requested to be added as a co-sponsor.

051695 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ) - $100,000] Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $100,000 from the Office of Justice Programs (OJP), Department of Justice for the purpose of supporting activities to reduce the number of violent and drug-related crimes in the designated Weed and Seed area within the Bayview Hunters Point neighborhood.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

10/18/05, REFERRED to Budget and Finance Committee. Supervisor Elsbernd requested that this matter be referred to Committee.

051696 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ) - $653,368] Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $653,368 from the Bureau of Justice Assistance (BJA), Office of Justice Programs (OJP), Department of Justice for the purpose of supporting activities to reduce the drug problem and violent activity associated with drug activity in San Francisco.

10/11/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE

AGENDA AT THE NEXT BOARD MEETING.

10/18/05, REFERRED to Budget and Finance Committee. Supervisor Elsbernd requested that this matter be referred to Committee.

051716 [Settlement of Unlitigated Claim - The Hertz Corporation] Supervisor Ammiano

Resolution authorizing settlement of an unlitigated claim with The Hertz Corporation, for a payment to the City in the amount of $250,000.00, and on certain other terms.

10/18/05, RECEIVED AND ASSIGNED to Rules Committee.

051717 [Commending Deputy City Attorney John Cooper] Supervisors Daly, Dufty

Resolution commending John Cooper for his work as a Deputy City Attorney.

10/18/05, ADOPTED.

051718 [Police Officers' search and rescue training] Supervisor Alioto-Pier

Hearing on the search and rescue training for Police Officers.

10/18/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051719 [Judicial Review of the Ogoni Nine] Supervisors Ammiano, Daly, Elsbernd

Resolution urging the Government of Nigeria to conduct a full judicial review of the trial of the Ogoni Nine, make reparations to the survivors of the Ogoni Nine, increase social spending for the Ogoni and the Niger Delta as a whole, ensure that all members of the security forces receive training in international standards on the use of force and firearms, in particular the 1979 UN Code of Conduct for Law Enforcement Officials and the 1990 UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

10/18/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051725 [Accept-Expend State Grant - Department of Parking and Traffic] Supervisors Ammiano, Ma

Resolution authorizing the Department of Parking and Traffic to apply for, accept and expend a grant in the amount of $706,500 from the California Department of Transportation for Safe Routes to School grant funding.

10/18/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051726 [Urging Caltrans to restore the double turn lanes from Duboce Avenue onto South Van Ness] Supervisor Dufty

Resolution urging Caltrans to restore the double turn lanes from Duboce Avenue onto South Van Ness.

10/18/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be scheduled for consideration at the November 2, 2005 meeting together with File 051613.

051727 [Urging Commemoration of Harvey Milk Stamp] Supervisors Daly, Ammiano, Dufty, Sandoval

Resolution urging the United States Post Master General to issue a commemorative stamp of Harvey Milk.

10/18/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051728 [Commending Lights On Afterschool] Supervisor Ma

Resolution commending Lights On Afterschool!

10/18/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051729 [Accept-Expend Federal Grant - Department of the Environment] Supervisor Ma

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $25,000 from the Environmental Protection Agency Aging Initiative to reduce seniors' exposure to environmental hazards, increase senior participation in free and low cost toxic reduction programs currently being offered by the City and to work with seniors and senior networks to conduct outreach and education efforts to seniors by seniors.

10/18/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051730 [Commending the San Francisco Health Plan] Supervisor Maxwell

Resolution commending the San Francisco Health Plan for their commitment and dedication to the residents of the City.

10/18/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051731 [Proclaiming November 2005 as Lung Cancer Awareness Month in San Francisco] Supervisor Maxwell

Resolution proclaiming November 2005 as Lung Cancer Awareness Month in San Francisco.

10/18/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051733 [Acceptance of a monetary gift - Recreation and Park Department] Supervisor Maxwell

Resolution approving the acceptance of a monetary gift of $53,075 from Michael Lanza to the Recreation and Park Department to fund improvements for the Arkansas Friendship Community Garden and a pathway at Potrero Hill Playground, and to support recreational programs at Potrero Hill Recreation Center.

10/18/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051734 [Grant of Federal Funds - Municipal Supervisor Maxwell

Transportation Agency]

Resolution authorizing the Municipal Transportation Agency to accept and expend $23,600 of Section 115 funds from the Federal Transit Administration for the Municipal Railway's Radio System Replacement and Third Street Phase 1 projects, excluding administrative overhead costs.

10/18/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051735 [Accept-Expend Federal Grant - Department of the Environment] Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend grant funds in the amount of $15,000 from the Environmental Protection Agency (EPA) for the ongoing development of a database to track municipal green building projects and their environmental benefits to the City and County of San Francisco and disseminate information about the database to stakeholders.

10/18/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051736 [Home Care and Hospice Day] Supervisors Peskin, Daly

Resolution commending the San Francisco Bay Area Regional Council of Home Care Providers, and declaring November 9, 2005, Home Care and Hospice Day in San Francisco.

10/18/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051738 [Commending Plant*SF, Sidewalk Pocket Park Gardens] Supervisor Ammiano

Resolution commending the work of Plant*SF, Sidewalk Pocket Park Gardens and other projects that promote community-based permeable landscaping and public open-space gardens located on public rights-of-way.

10/18/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

051713 [Shelter Monitoring Committee] Supervisor Alioto-Pier

Hearing to consider the Shelter Monitoring Committee's report.

10/18/05, RECEIVED AND ASSIGNED to Rules Committee.

051714 [Hayward Fault] Supervisor Alioto-Pier

Hearing to discuss activity on the Hayward Fault and how that would impact San Francisco.

10/18/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051737 [Budget Analyst Report on the Public Education Supervisor Ammiano

Enrichment]

Hearing to discuss the Budget Analyst Report on the Public Education Enrichment Fund dated September 30, 2005.

10/18/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

051712 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

10/18/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051722 [Establishing a Select Committee on Ending Gun and Gang Violence Pursuant to Board of Supervisors Rules of Order, Rule 5.26] Supervisors Maxwell, Mirkarimi, Ma

Motion to establish a Select Committee on Ending Gun and Gang Violence pursuant to Board of Supervisors Rules of Order, Rule 5.26.

10/18/05, RECEIVED AND ASSIGNED to Rules Committee.

051723 [Designating the Committee on Parades] Supervisor Peskin

Motion designating the City Operations and Neighborhood Services Committee of the Board of Supervisors as the Committee on Parades.

10/18/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051732 [Committee of the Whole - November 1, 2005 at 5:30 p.m.] Supervisors Maxwell, Mirkarimi

Motion scheduling a Committee of the Whole on November 1, 2005, at 5:30 p.m. to hold a hearing to discuss the City's plan to end gun and gang violence in San Francisco.

10/18/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

PROPOSED MOTIONS

Requests Granted

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to inspect whether or not DPT can install speed bumps or other traffic calming measures at the intersection of 16th Ave. and Lawton.

Can the Department of Parking and Traffic inspect whether or not it is feasible to install speed bumps or other traffic calming measures at the intersection of 16th Ave. and Lawton? This intersection is curved, and cars driving too fast have spun out and damaged property in the area.

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation to designate restaurants as a conditional use in the Lower Haight Neighborhood Commercial District (400 to 800 block).

From: Supervisor Mirkarimi

To: City Attorney

To: Director, Department of Real Estate

To: Mayor's Office

Requesting/Inquiring: Requesting the City Attorney, Department of Real Estate, and the Mayor's Office to detail the steps necessary to qualify the land-use and planning approval for allowing the construction of a mosque (affiliated with Islam) on Brotherhood Way as it pertains to City's past program aimed at the parcel allocation for religious institutions (house of worship) where the major religions in the United States are represented with the exception of the Islamic faith.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

ú Intersection of Steiner St. and Fell St.

ú Mailboxes at Grove St. and Buchanan St.

ú In red on the sidewalk of Ivy St. and Buchanan St.

ú Building at 706 Buchanan

ú Private property of Hayes Valley Apts. At 635

In Memoriams

Maureen Duggan-Woods - Supervisors Elsbernd and Alioto-Pier

Maira Erin O'Donnell - Supervisor Elsbernd

Helen Lem - Supervisor Peskin

Cheree Black - Supervisor Maxwell

Dante Rollins - Supervisor Maxwell

ADJOURNMENT

There being no further business the Board adjourned at the hour of 8:11 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 22, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board

and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby Jr. by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999-2005 City and County of San Francisco. All rights reserved.

Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.
NOV 29 2005
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, October 25, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick,*

Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:32 p.m. On the call of the roll the following Supervisors Alioto-Pier, Daly, Dufty and Maxwell were noted absent.

Supervisors Daly and Dufty were noted present at 2:34 p.m.

Supervisor Alioto-Pier was noted present at 2:35 p.m.

Supervisor Maxwell was noted present at 2:37 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Sandoval, moved to approve September 27, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

050883 [Designating a sole source contractor for the art elements of the 24th and York Mini Park] Supervisor Ammiano

Ordinance designating Precita Eyes Muralists as the sole source contractor for the art elements of the 24th and York Mini Park and waiving the competitive procurement requirements of San Francisco Administrative Code Chapter 6 for these services.

Enacted Number: 247-05

FINALLY PASSED

051596 [Contract Amendment for Muni Metro East Light

Rail Facility]

Resolution authorizing the Director of Transportation to execute the Tenth Amendment to San Francisco Municipal Railway Contract No. CS-116, Design and Construction Support Services for Muni Metro East Light Rail Vehicle Maintenance and Operations Facility with Gannett Fleming, Inc. for an amount not to exceed $3,313,629, for a total contract amount not to exceed $12,262,990, and for a contract extension of two and one-half years, for a total contract term of ten years. (Municipal Transportation Agency)

(Fiscal impact.)

Enacted Number: 771-05

ADOPTED

051635 [FY 2005-06 California Constitution Appropriations Limit] Supervisor Peskin

Resolution establishing the appropriations limit for Fiscal Year 2005-06 pursuant to California Constitution Article XIII B.

Enacted Number: 784-05

ADOPTED

051642 [Authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703.2 for fiscal years 2004-2005 and 2005-06] Supervisor Peskin

Resolution authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703.2 for fiscal years ending June 30, 2005 and June 30, 2006.

Enacted Number: 785-05

ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

051387 [Temporary Occupancy of Commercial Vehicle Parking Meters] Supervisor Peskin

Resolution establishing temporary occupancy of a portion of the commercial vehicle parking meters on the north side of Post Street between Kearny and Montgomery from 8:30 am to 5:00 pm on every Thursday beginning July 14, 2005 through November 30, 2006.

Enacted Number: 770-05
ADOPTED

051497 [Liquor License, 2339 Third Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 3699 17th Street to 2339 Third Street, Suite 19 to Jason Walthall for Taste Inc. will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 768-05
ADOPTED

051670 [State funding for California Healthcare for Indigents Program (CHIP) allocation for medical services to indigent persons] Supervisor Ma

Resolution authorizing the Department of Public Health to accept and expend retroactively a grant allocation in the amount of $2,622,282 for Fiscal Year 2005-06 funding from the State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, and personal services; for the period of July 1, 2005, to June 30, 2006.

Enacted Number: 767-05
ADOPTED

Recommendation of the Rules Committee

050867 [San Francisco Community Health Joint Powers Authority Conflict of Interest Code] Supervisor Ammiano

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by adding section 3.1-417 to create a conflict of interest code for the San Francisco Community Health Joint Powers Authority.

Enacted Number: 248-05
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Maxwell

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

051250 [Medical cannabis guidelines and medical cannabis dispensary zoning and permitting] Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.131, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house residential-mixed zoning districts, industrial districts, and certain mixed use districts; prohibit new medical cannabis dispensaries in neighborhood commercial cluster (NC-1) districts; permit dispensaries elsewhere subject to restrictions based on a dispensary's proximity to schools, community centers, and facilities providing substance abuse services that are licensed or certified by the State of California or funded by the Department of Public Health; require adequate ventilation in dispensaries; prohibit the sale or distribution of alcohol at dispensaries; require Planning Department notice to interested individuals and properties within 300 feet of proposed dispensaries; require the Planning Commission to hold a discretionary review hearing on each medical cannabis dispensary application; require dispensaries operating as of April 1, 2005 to obtain a permit within 18 months of the effective date of this legislation or must cease operations; require dispensaries beginning operation after April 1, 2005 but before the effective date of this legislation to cease operations; require a notice that permits for dispensaries are not intended to and do not authorize the violation of State or Federal law; and make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan;
Amending the San Francisco Health Code by adding Sections 3200 through 3220, to: set medical cannabis possession guidelines; require a permit, business license, and business registration certificate for a medical cannabis dispensary; set out the application process for a medical cannabis permit; set out operating requirements for medical cannabis dispensaries including signage and advertising requirements; and set out the administrative process for imposing penalties and/or permit suspension or revocation for violations;
Amending the San Francisco Traffic Code by amending Sections 53 and 132, to create an infraction for double parking in front of a medical cannabis dispensary and set the fine at $100; and,
Amending the San Francisco Business and Tax Regulations Code by amending

Section 1 to add Sections 1.177 to authorize the Department of Health to issue medical cannabis dispensary permits.

Continued to November 15, 2005

Supervisor Elsbernd, seconded by Supervisor Daly, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051747 [Setting a permit application fee and an annual license fee for medical cannabis dispensaries] Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code to add Section 3204 setting an application fee for a medical cannabis dispensary permit and amending the Business and Tax Regulations Code to add Section 249.17 to provide for an annual license fee for permitted medical cannabis dispensaries.

Continued to November 15, 2005

Supervisor Elsbernd, seconded by Supervisor Daly, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050922 [Payroll Expense Tax Exclusion for qualified clean energy technology businesses] Supervisors McGoldrick, Alioto-Pier, Mirkarimi, Elsbernd, Ma, Sandoval

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for qualified clean energy technology businesses, as specified.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Sandoval requested to be added as a co-sponsor.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Government Audit and Oversight Committee

051674 [Settlement of Lawsuit - CCSF et al., v. Myers Natoma Venture, et al.] Mayor, Supervisor Daly

Ordinance authorizing settlement of the eminent domain action filed by the City and County of San Francisco against Myers Natoma Venture, LLC, filed on October 8, 2004 and amended on November 5, 2004, in San Francisco Superior Court, No. 04-435-334; entitled City and County of San Francisco, et al., v. Myers Natoma Venture, LLC, et al.; and authorizing settlement of the lawsuit filed by Myers Natoma Venture and Myers Development Company against the City and County of San Francisco, the Transbay Joint Powers Authority, and the Peninsula Corridor Joint Powers Board, filed on July 16, 2004 in San Francisco Superior Court, No. 04-504-363, entitled Myers Natoma Development, et al., v. City and County of San Francisco, et al., for fifty-eight million dollars ($58,000,000) payable by the Transbay Joint Powers Authority with funding from the San Francisco County Transportation Authority and the Metropolitan Transportation Commission; other material terms of said settlement are that the San Francisco County Transportation Authority and the Metropolitan Transportation Commission are to take title to 80 Natoma Street if the Transbay Terminal Project fails to meet deadlines in the Cooperative Agreement for commencement of terminal operations, Myers waives any right to refile claims related to the June 2004 suspension of its permit for 80 Natoma, as well as the terms and conditions as provided in Exhibit A.

Enacted Number: 246-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the City Operations and Neighborhood Services Committee

050253 [Proposition 65 Ordinance - Safe Drinking Water and Toxic Enforcement Act of 1986] Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code by adding Section 456.6, to require the Department of Public Health to Enforce the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) and its implementing regulations with respect to foods which are subject to a state or federal Department of Health and Human Services, Food and Drug Administration, or Environmental Protection Agency safety advisory where said advisory is regarding a substance included on the Proposition 65 list issued by the State of California Environmental Protection Agency and to require certain food establishments to provide Proposition 65 warnings in English, Spanish, and Chinese.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW

TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance amending the San Francisco Health Code by adding Section 456.6, to require the Department of Public Health to Enforce the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) and its implementing regulations and to require certain food establishments to provide Proposition 65 warnings in English, Spanish, and Chinese.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendation of the Budget and Finance Committee

051297 [Accept-Expend Corporate Grant - Department of the Environment] Supervisor Ma

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $61,223.20 from Air Products and Chemicals, Incorporated (Inc.) for completion of site work for a hydrogen fueling station.

Enacted Number: 769-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee Without Recommendation

051599 [Official Advertising - Type 1 for Consecutive Day Publication and Type 2 for Non-Consecutive Day Publication]

Resolution designating the San Francisco Chronicle and Examiner to be the official newspapers of the City and County of San Francisco for the category of Type 1 consecutive day, and Type 2 non consecutive day official advertising services for the fiscal year commencing upon Board of Supervisors and Mayoral approval and ending June 30, 2006. (Office of Contract Administration)

Continued to November 1, 2005

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

051534 [Public Hearing - Sidewalk Assessment Costs 534 Octavia Street]

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board members.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

051532 [Report of assessment costs for sidewalk and curb repairs - 534 Octavia Street]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

(DPW Order No. 175,586; Location: 534 Octavia Street.)

Enacted Number: 772-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Ammiano, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the

following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ammiano introduced, welcomed and presented a Certificate of Honor to Rick Ruvolo in recognition of his retirement from the City and County of San Francisco employment.

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor Dr. Victor Batarseh, Mayor of Bethlehem.

SPECIAL ORDER 4:00 P.M.

051222 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 899 North Point Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Sections 15303(b) and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3). The proposed project would involve the demolition of a vacant gas station building, approximately 1,650 square feet in size, and construction of a four-story, five-unit residential building. The proposed project would provide seven off-street parking spaces on the ground floor. Entrance and access to the residential units would be from Larkin Street and vehicular entrance and access would be from North Point Street. The project site at 899 North Point Street (Assessor's Block 0026, Lot 020) is approximately 5,469 square feet in size and located on the southeastern corner of North Point and Larkin Streets in the Russian Hill neighborhood on the block bounded by Larkin, North Point, Hyde and Bay Streets. The project site is zoned RH-3 (Residential, House, Three-Family) and is within a 40-X height and bulk district. The project site is also located in the Waterfront Special Use District No. 2, per Section 240.2 of the San Francisco Planning Code. (Appellant: Stephen M. Williams.)

(Filed June 17, 2005; companion measure to Files 051223, 051224, 051225; District 2.)

Continued to November 22, 2005

CONTINUED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of

Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

051223 [Affirming the categorical exemption issued for 899 North Point Street]

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to November 22, 2005

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051224 [Disapproving the categorical exemption issued for 899 North Point Street]

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to November 22, 2005

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051225 [Preparation of findings related to the categorical exemption issued for 899 North Point Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to November 22, 2005

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recess

The Board recessed at the hour of 4:18 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:36 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval - 9

Supervisor Mirkarimi was noted present at 4:38 p.m.

SPECIAL ORDER 4:30 P.M.

Supervisor Daly noted absent at 4:36 p.m.

Supervisor Alioto-Pier noted absent at 7:45 p.m.

Supervisor McGoldrick noted absent at 8:30 p.m.

Supervisor McGoldrick noted present at 9:00 p.m.

Supervisor Alioto-Pier noted present at 9:05 p.m.

Supervisor Daly noted present at 9:07 p.m.

Supervisor Daly noted absent at 9:34 p.m.

Supervisor Daly noted present at 9:45 p.m.

051445 [Public Hearing - Appeal of Final Environmental Impact Report for 491 Bayshore Boulevard (HOME DEPOT)]

Hearing of persons interested in or objecting to the Planning Commission's July 28, 2005, certification of a Final Environmental Impact Report identified as Case No. 2001.0062E, through its Motion 17071. The proposed project would involve the demolition of the existing vacant buildings equaling approximately 107,372 square feet and the construction of approximately 140,000 square foot home improvement center (HOME DEPOT) with a separate, attached 235,597 square foot parking garage accommodating 585 parking spaces with an M-1 (Light Industrial) District, a 65-J Height and Bulk District, and the Industrial Protection Zone Special Use District, located at 491 Bayshore Boulevard, Assessor's Block 5598, Lots 8, 9, 11, 13, 15, 16, 18, 21 and 28. (Appellant: Sue C. Hestor, Attorney, on behalf of Cole Hardware).

(Date Filed: 8/11/05; companion measure to Files 051446, 051447, 051448; District 10.)

The President inquired as to whether or not any member of the public wished to address the Board members.

Rich Hart, Cole Hardware, appellant

Sue Hestor, on behalf of the appellant

Ed Clark; support of appellant

Mike Casey; support of appellant

Connie Ford, SF Labor Council; support of appellant

Frank Martin, Latino Labor Council; support of appellant

Maria Harrison; support of appellant

Bianca; support of appellant

Mark Majors; support of appellant

(5 individuals released speaking time to show video)

Carlos Julio Gonzalez; support of appellant

(1 individual released speaking time to show video)

Andy Loughsinger; support of appellant

Rich Hunt; support of appellant

Jeff Powlaski; support of appellant

Linda Cook; support of appellant

Keith Gentar; support of appellant

Wendy Shanen; support of appellant

Shelly Klein; support of appellant

Steven Cornell; support of appellant

Joseph Blair; support of appellant

Jeff Leopald; support of appellant

Gwen Kaplan; support of appellant

Dave Sahagan; support of appellant

Ernie Estin; support of appellant

Robert Frost; support of appellant

Michael Larsen; support of appellant

Mike Clauson; support of appellant

Gary Frank; support of appellant

Lawrence Winn; support of appellant

Enya Karuna; support of appellant

Peter Gable; support of appellant

Scott Haughey; support of appellant

Wendy Phillips; support of appellant

Eric Casel; support of appellant

Ms. Pigpen; support of appellant

Amy Kyle; support of appellant

Jeanna Solomon; support of appellant

John Perry; support of appellant

Carl Koney; support of appellant

Chris Woodman; suppart of appellant

Tom Breason; suppart of appellant

Barbara Heil; support of appellant

Jason Yusinski; suppart of appellant

Rose Garcia; support of appellant

Lillian Fireside; support of

FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

051446 [Affirm certification of 491 Bayshore Boulevard (Home Depot) FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)

Continued to November 1, 2005

Supervisor Dufty, seconded by Supervisor Ma, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

051447 [Disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)

Continued to November 1, 2005

Supervisor Dufty, seconded by Supervisor Ma, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

051448 [Preparation of findings to disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)

Continued to November 1, 2005

Supervisor Dufty, seconded by Supervisor Ma, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

COMMITTEE REPORTS

051748 [Medical cannabis dispensary application fee increase and adjustment of application and annual license fees based on changes in CPI] Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code to amend Section 3204 to provide for adjustments of the application fee for medical cannabis dispensary permits based on changes to the consumer price index and amending the Business and Tax Regulations Code to amend Section 249.17 to provide for adjustments in the medical cannabis dispensaries annual license fees based on changes to the consumer price index.

Continued to November 15, 2005

Supervisor Elsbernd, seconded by Supervisor Daly, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; expressed concern with general issues

Brent Sabi; expressed concern with issues relating to medical marijuana cards issued by the State

James Chaffee; expressed concern with issues relating to National politics regarding to religious broadcasts

Jonathan Beaver; expressed concern expressed concern with issues relating to medical marijuana cards issued by the State

Mr. Kosman; expressed concern with issues relating to various technology legislation

Eugene Gordan, Jr.; expressed concern with terrorist and racist issues

Mathew Pruitt; expressed concern with issues relating to medical marijuana cards issued by the State

Male speaker; expressed concerns with the releasing of patient information relating to the distribution of medical marijuana

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051727 [Urging Commemoration of Harvey Milk Stamp] Supervisors Daly, Ammiano, Dufty, Sandoval

Resolution urging the United States Post Master General to issue a commemorative stamp of Harvey Milk.

Enacted Number: 783-05

ADOPTED

051728 [Commending Lights On Afterschool] Supervisor Ma

Resolution commending Lights On Afterschool!

Enacted Number: 782-05

ADOPTED

051729 [Accept-Expend Federal Grant - Department of the Environment] Supervisor Ma

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $25,000 from the Environmental Protection Agency Aging Initiative to reduce seniors' exposure to environmental hazards, increase senior participation in free and low cost toxic reduction programs currently being offered by the City and to work with seniors and senior networks to conduct outreach and education efforts to seniors by seniors.

Enacted Number: 786-05

ADOPTED

051730 [Commending the San Francisco Health Plan] Supervisor Maxwell

Resolution commending the San Francisco Health Plan for their commitment and dedication to the residents of the City.

Enacted Number: 781-05

ADOPTED

051731 [Proclaiming November 2005 as Lung Cancer Awareness Month in San Francisco] Supervisor Maxwell

Resolution proclaiming November 2005 as Lung Cancer Awareness Month in San Francisco.

Enacted Number: 779-05

ADOPTED

051733 [Acceptance of a monetary gift - Recreation and Park Department] Supervisor Maxwell

Resolution approving the acceptance of a monetary gift of $53,075 from Michael Lanza to the Recreation and Park Department to fund improvements for the Arkansas Friendship Community Garden and a pathway at Potrero Hill Playground, and to support recreational programs at Potrero Hill Recreation Center.

Enacted Number: 780-05

ADOPTED

051734 [Grant of Federal Funds - Municipal Transportation Agency] Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $23,600 of Section 115 funds from the Federal Transit Administration for the Municipal Railway's Radio System Replacement and Third Street Phase 1 projects, excluding administrative overhead costs.

Enacted Number: 778-05

ADOPTED

051735 [Accept-Expend Federal Grant - Department of the Environment] Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend grant funds in the amount of $15,000 from the Environmental Protection Agency (EPA) for the ongoing development of a database to track municipal green building projects and their environmental benefits to the City and County of San Francisco and disseminate information about the database to stakeholders.

Enacted Number: 777-05

ADOPTED

051736 [Home Care and Hospice Day] Supervisors Peskin, Daly

Resolution commending the San Francisco Bay Area Regional Council of Home Care Providers, and declaring November 9, 2005, Home Care and Hospice Day in San Francisco.

Supervisor Daly requested to be added as a co-sponsor.

Enacted Number: 776-05

ADOPTED

051738 [Commending Plant*SF, Sidewalk Pocket Park Gardens] Supervisor Ammiano

Resolution commending the work of Plant*SF, Sidewalk Pocket Park Gardens and other projects that promote community-based permeable landscaping and public open-space gardens located on public rights-of-way.

Enacted Number: 775-05

ADOPTED

051712 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-130

APPROVED

051732 [Committee of the Whole - November 1, 2005 at 5:30 p.m.] Supervisors Maxwell, Mirkarimi

Motion scheduling a Committee of the Whole on November 1, 2005, at 5:30 p.m. to hold a hearing to discuss the City's plan to end gun and gang violence in San Francisco.

Enacted Number: M05-129

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from Without Reference to Committee Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

051719 [Judicial Review of the Ogoni Nine] Supervisors Ammiano, Daly, Elsbernd

Resolution urging the Government of Nigeria to conduct a full judicial review of the trial of the Ogoni Nine, make reparations to the survivors of

the Ogoni Nine, increase social spending for the Ogoni and the Niger Delta as a whole, ensure that all members of the security forces receive training in international standards on the use of force and firearms, in particular the 1979 UN Code of Conduct for Law Enforcement Officials and the 1990 UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

Supervisors Daly and Elsbernd requested to be added as co-sponsors.

Amended by inserting "United States Government to urge" before "urging the Government of Nigeria".

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Resolution urging the United States Government to urge the Government of Nigeria to conduct a full judicial review of the trial of the Ogoni Nine, make reparations to the survivors of the Ogoni Nine, increase social spending for the Ogoni and the Niger Delta as a whole, ensure that all members of the security forces receive training in international standards on the use of force and firearms, in particular the 1979 UN Code of Conduct for Law Enforcement Officials and the 1990 UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051723 [Designating the Committee on Parades] Supervisor Peskin

Motion designating the City Operations and Neighborhood Services Committee of the Board of Supervisors as the Committee on Parades.

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately.

Enacted Number: M05-128

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the

resolution(s) being considered at this time are purely commendatory.

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved ADOPTION of the Commendatory Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051770 [Commending the Jerry Garcia Estate] Supervisors Sandoval, Ma

Resolution commending the Jerry Garcia Estate for its tremendous assistance, support, and generosity in promoting and improving McLaren Park and the Excelsior and congratulating the neighbors, community members, and activists who successfully lobbied to have the McLaren Amphitheater renamed the Jerry Garcia Amphitheater.

Enacted Number: 773-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051771 [Congratulating Julio and Keiko Ramos] Supervisor Sandoval

Resolution congratulating Julio and Keiko Ramos on the birth of their first child, Mia Ramos.

Enacted Number: 774-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051769 [Zoning - 16 Month and 15 Day Extension of Supervisor Mirkarimi

Interim Moratorium on Medical Cannabis Dispensaries]

Urgency ordinance approving a 16 month and 15 day extension of the interim zoning moratorium throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

10/25/05, RECEIVED AND ASSIGNED to Land Use Committee. 10/27/05, Submitted ad to be published in the S. F. Chronicle on 10/29/05.

051772 [Designating 2151 Van Ness Avenue, St. Brigid Church, as a Landmark] Supervisor Alioto-Pier

Ordinance Designating 2151 Van Ness Avenue, St. Brigid Church, As Landmark No. 252 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.

10/25/05, RECEIVED AND ASSIGNED to Land Use Committee. 10/31/05, Planning Commission Res. No. 17128 approved October 20, 2005; Landmark Preservation Advisory Board Res. No. 587, adopted May 4, 2005 recommending approval; and Landmark designation report adopted May 4, 2005.

051773 [Public Financing for Mayoral Candidates] Supervisor Mirkarimi

Ordinance amending the Campaign and Governmental Conduct Code by amending sections 1.104, 1.108, 1.130, 1.134, 1.136, 1.138, 1.140, 1.142, 1.144, 1.148, 1.150, 1.152, 1.154, 1.156 and 1.170 and adding sections 1.134.5, 1.138.5, 1.140.5, 1.144.5 and 1.146 to create a public financing program for mayoral candidates, appropriate funding for the program and make other changes to the Campaign Finance Reform Ordinance.

(Fiscal impact.)

10/25/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/24/2005.

Resolutions

051766 [Confirming the reappointment of Ramon Romero to the San Francisco Redevelopment Agency] Mayor

Resolution confirming the reappointment of Ramon Romero, term ending September 3, 2009, to the San Francisco Redevelopment Agency.

10/25/05, RECEIVED AND ASSIGNED to Rules Committee.

051767 [Red Light Photo Enforcement Contract] Supervisor Ma

Resolution approving the contract between the Department of Parking and Traffic and ACS State and Local Solutions for administrative support services for the Red Light Photo Enforcement Program for a term not to exceed five years and an amount no to exceed $10,195,471.00.

(Fiscal impact.)

10/25/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be heard at the next available Budget and Finance Committee meeting, per verbal request of Jaynry Mak, Legislative Aide.

051774 [Gift to the Recreation and Park Department] Supervisor Alioto-Pier

Resolution accepting and expending a gift valued at up to $16,000,000 from the Maybeck Foundation to the Recreation and Park Department for capital improvements to the Palace of Fine Arts.

10/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051775 ["Dr. Cynthia Maung Day" on November 6, 2005] Supervisor Ammiano

Resolution declaring "Dr. Cynthia Maung Day" on her visit to the City and County of San Francisco on November 6, 2005.

10/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051776 [Declaring October 25, 2005 as "Alan Heineman Day" in the City and County of San Francisco] Supervisor McGoldrick

Resolution honoring Alan Heineman and declaring October 25, 2005 as "Alan Heineman Day" in the City and County of San Francisco.

10/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051777 [Delay local implementation of the State's cannabis identification card system] Supervisor Mirkarimi

Resolution urging the Director of Health to delay local implementation of the State's cannabis identification card program until patients, advocates and City and State Legislators have sufficient time to petition the State Health Department to modify its card program protocols to better protect the anonymity of patients and caregivers, and physicians can be informed of their new obligations under the State card program.

10/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

051768 [Structural Integrity of the Hall of Justice Building] Supervisor Ma

Hearing to investigate the structural integrity of the Hall of Justice in the event of an emergency and/or natural disaster and to discuss any plans for evacuation and temporary relocation of the offices.

10/25/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motion

051778 [Off-Site Board of Supervisors Meeting on November 22, 2005, 2:00 p.m. at the Potrero Hill Resource Center] Supervisor Sandoval

Motion scheduling a special off-site meeting of the Board of Supervisors on Tuesday, November 22, 2005, 2:00 pm at the Potrero Hill Resource Center at 85 Turner Terrace.

10/25/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

051654 [Settlement of Lawsuit - Deaf Counseling Advocacy and Referral Agency, et al.]

Ordinance authorizing settlement of the lawsuit filed by Deaf Counseling Advocacy and Referral Agency, et al., against the City and County of San Francisco, et al. for an agreement to make certain disability access improvements at the San Francisco International Airport, and by the payment of $40,000 in damages, $235,000 in attorney's fees, and $14,500 in costs; the lawsuit was filed on April 17, 2002, in US District Court (Case No C02-1844 MEJ). (City Attorney)

10/11/05, RECEIVED AND ASSIGNED to Rules Committee.

051759 [Rewards to Informants (Real Estate Watchdogs) for Information Related to the Detection of Underpayment of Property Tax]

Ordinance amending Chapter 10 of the San Francisco Administrative Code by adding Sections 10.177-2 and 10.177-3, authorizing the Assessor to recommend rewards for information related to the detection of underpayment of tax owed to the City and County of San Francisco. (Assessor-Recorder)

10/17/05, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/24/2005.

PROPOSED RESOLUTIONS

Requests Granted

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation that provides an amnesty for individuals who have entered a City recognized "Care Not Cash" housing program who risk losing housing due to outstanding violations issued by the San Francisco Police Department for vagrancy (California Penal Code Section 647).

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

ú Mailboxes at Grove St. and Octavia

ú Mailboxes at Grove St. and Laguna

ú Green box and light post near Oak Street and Scott

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of graffiti removal from nine street signs on Steiner between O'Farrell and Turk.

cc:Steve Boyack, CPM

Regional Manager, Fillmore Center

1475 Fillmore Street

San Francisco, CA 94115

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of cleaning the drains at the following locations:

ú Southeast corner of Masonic and Frederick

ú Southeast corner of Waller and Masonic

ú Southwest corner of Waller and Masonic

ú Southeast corner of Waller and Ashbury

ú Southwest corner of Waller and Ashbury

ú Southeast corner of Ashbury and Masonic

ú Southeast corner of Ashbury and Haight

From: Supervisor Dufty

To: Director, Planning Department

Requesting/Inquiring: The Planning Department is requested to perform an initial analysis of potential incentives for mixed-use "housing over retail" development that:

Rosa Louise McCauley Parks - Entire Board

Dora Yum Kim - Supervisor McGoldrick

Jarrell Wilson - Supervisor Maxwell

Naemon Wysinger - Supervisor Maxwell

Derrnae Wysinger - Supervisor Maxwell

ADJOURNMENT

There being no further business the Board adjourned at the hour of 10:00 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 22, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999 2005 City & Co. of San Francisco. All rights reserved

City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.
JAN - 3 2006
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, November 1, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Aliota-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona*

Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

CONSENT AGENDA

Recommendations of the Rules Committee

051354 [Settlement of Lawsuit - George Q. Chen]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against George Q. Chen, for a payment to the Airport in the amount of $113,800.00, and on certain other terms; the lawsuit was filed on December 1, 2003, in United States Bankruptcy Court for the Northern District of California, Adversary Case No. 03-3713 DM and entitled City and County of San Francisco v. George Q. Chen. (City Attorney)

PASSED, ON FIRST READING

051583 [Settlement of Lawsuit - Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al]

Ordinance authorizing settlement of the lawsuit filed by Frederick Meiswinkel, Inc. for $1,800,000 against the Hunt Construction Group, Inc. and Hunt cross-complaint against the City and County of San Francisco seeking indemnity from the claims brought by Meiswinkel; the lawsuit was filed on March 2, 2004 in San Francisco Superior Court, Case No. CGC -04-429249; entitled, Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al; other material terms of said settlement are nonmaterial terms. (City Attorney)

PASSED, ON FIRST READING

051584 [Settlement of Lawsuit - Kaiser Foundation Hospitals]

Ordinance authorizing settlement of the lawsuit filed by Kaiser Foundation

Hospitals against the City and County of San Francisco for $67,500.00; the lawsuit was filed on May 4, 2005 in San Francisco Superior Court, Case No. 429-909; entitled Kaiser Foundation Hospitals v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

051598 [Settlement of Lawsuit - King C. Electric, Inc.]

Ordinance authorizing settlement of the lawsuit filed by King C. Electric, Inc. against the City and County of San Francisco according to the following terms: a) King C. Electric, Inc. ("KCE") pays one hundred nine thousand one hundred eighty-five dollars and ninety-three cents ($109,185.93) to the City; b) the City pays seventy-eight thousand nine hundred eighty-three dollars and twenty-one cents ($78,983.21) to KCE; and c) KCE is debarred from performing construction contracts on City-owned projects for two and a half years. The lawsuit was filed on April 14, 2004 in the Superior Court of the City and County of San Francisco, Case No. CGC-04-430671; entitled King C. Electric, Inc. v. City and County of San Francisco et al. and related cross-action. (City Attorney)

PASSED, ON FIRST READING

051654 [Settlement of Lawsuit - Deaf Counseling Advocacy and Referral Agency, et al.]

Ordinance authorizing settlement of the lawsuit filed by Deaf Counseling Advocacy and Referral Agency, et al., against the City and County of San Francisco, et al. for an agreement to make certain disability access improvements at the San Francisco International Airport, and by the payment of $40,000 in damages, $235,000 in attorney's fees, and $14,500 in costs; the lawsuit was filed on April 17, 2002, in US District Court (Case No C02-1844 MEJ). (City Attorney)

PASSED, ON FIRST READING

051661 [Settlement of Lawsuit - Walter Reed]

Ordinance authorizing the settlement of a lawsuit filed by Walter Reed against the City and County of San Francisco for $36,000.00; the lawsuit was filed on December 15, 2003, in San Francisco Superior Court, Case No. 414322, entitled Walter Reed v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

051660 [Settlement of Claim - Louis Vuitton, Inc.]

Resolution approving the settlement of the unlitigated claim filed by Louis Vuitton, Inc., against City and County of San Francisco for $93,000.00. (City Attorney)

Enacted Number: 791-05
ADOPTED

051749 [Appointment - San Francisco Museum and Historical Society Advisory Committee]

Resolution appointing Susan Stryker and Philip Choy, terms ending December 16, 2005 and Charles Striplen, term ending April 21, 2006, to the San Francisco Museum and Historical Society Advisory Committee, residency requirement waived.

Susan Stryker, succeeding herself, term expired, seat 1, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for the unexpired portion of a one-year term ending December 16, 2005. Philip Choy, succeeding himself, term expired, seat 2, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for the unexpired portion of a one-year term ending December 16, 2005. Charles Striplen (residency requirement waived), succeeding himself, term expired, seat 3, must be a member from organizations or communities with extensive knowledge of the history or cultural traditions of an ethnic minority community within San Francisco with a focus on ancestral lineage or other historical and cultural links to the San Francisco Bay Area, for the unexpired portion of a one-year term ending April 21, 2006.

Enacted Number: 790-05
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Consent Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

051716 [Settlement of Unlitigated Claim - The Hertz Corporation] Supervisor Ammiano

Resolution authorizing settlement of an unlitigated claim with The Hertz Corporation, for a payment to the City in the amount of $250,000.00, and

on certain other terms.

Continued to November 8, 2005

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

051744 [Adopting findings related to affirming the categorical exemption for 1070 Sanchez Street]

Motion adopting findings affirming the determination by the Planning Department that the 1070 Sanchez Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to November 8, 2005

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Board

(Only one of the following two motions should be adopted.)

051446 [Affirm certification of 491 Bayshore Boulevard (Home Depot) FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)

Continued to November 8, 2005

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

051447 [Disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home

Depot) Project. (Clerk of the Board)

Continued to November 8, 2005

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

051448 [Preparation of findings to disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)

Continued to November 8, 2005

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

Recommendation of the Budget and Finance Committee

050922 [Payroll Expense Tax Exclusion for qualified clean energy technology businesses] Supervisors McGoldrick, Alioto-Pier, Mirkarimi, Elsbernd, Ma, Sandoval

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for qualified clean energy technology businesses, as specified.

Enacted Number: 249-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Daly, Peskin

From the Budget and Finance Committee Without Recommendation

051599 [Official Advertising - Type 1 for Consecutive Day Publication and Type 2 for Non-Consecutive Day Publication]

Resolution designating the San Francisco Chronicle and Examiner to be the official newspapers of the City and County of San Francisco for the category of Type 1 consecutive day, and Type 2 non consecutive day official advertising services for the fiscal year commencing upon Board of Supervisors and Mayoral approval and ending June 30, 2006. (Office of

Contract Administration)

Enacted Number: 793-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

050253 [Proposition 65 Ordinance - Safe Drinking Water and Toxic Enforcement Act of 1986] Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code by adding Section 456.6, to require the Department of Public Health to Enforce the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) and its implementing regulations and to require certain food establishments to provide Proposition 65 warnings in English, Spanish, and Chinese.

Enacted Number: 250-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051458 [Public Works Code - landmark trees and penalties for violations] Supervisor McGoldrick

Ordinance amending the Public Works Code by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Ordinance be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

051460 [Subdivision Code fees] Supervisor Dufty

Ordinance amending the Subdivision Code section 1315 to adopt new fees for air space maps, lot subdivisions, condominium conversions, parcel maps, lot merger and resubdivision maps, amended maps, lot line adjustments, lot mergers, certificates of compliance, certificates of correction, records of survey, and other mapping actions and to provide for an annual adjustment of such fees based on the relevant consumer price index; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051461 [Survey Monument Preservation Fee and Fund] Supervisor Dufty

Ordinance amending the San Francisco Administrative Code by adding Section 8.24-6, to authorize the imposition of a $10 grant deed recordation user fee and by adding Section 10.100-50, to create the County Surveyor's Survey Monument Preservation Fund for the deposit and collection of the fee for use by the County Surveyor for the retracement or remonument survey of major historical vertical or horizontal land division lines; amending the San Francisco Subdivision Code by adding Section 1340.1, to authorize the County Surveyor to use the proceeds collected from imposition of the fee to pay for the retracement or remonument survey of major historical vertical or horizontal land division lines; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051585 [Acceptance of Subsurface Easement at 2-4 Winfield Street]

Resolution authorizing the acceptance of a permanent subsurface easement at 2-4 Winfield Street, Assessor's Block 5611, Lot 001 for tie-back rods connected to a City-constructed retaining wall. (Real Estate Department)

Enacted 792-05

Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Government Audit and Oversight Committee

051414 [Board review required for annual or otherwise recurring grant applications of $5,000,000 or more] Supervisor Maxwell

Ordinance amending Section 10.170 of the Administrative Code to require Board review of proposed annual or otherwise recurring grant applications of $5,000,000 or more prior to their submission.

Continued to November 8, 2005

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use Committee

051508 [Establishing a Visitacion Valley Community Facilities and Infrastructure Fee and Fund] Supervisor Maxwell

Ordinance adding Planning Code Sections 319 through 319.7 to impose a $4.58 per square foot fee on new residential development in the Visitacion Valley area, to establish a Visitacion Valley Community Facilities and Infrastructure Fund to mitigate impacts from residential development on public infrastructure in Visitacion Valley including libraries, streets, playgrounds, recreational facilities, and community centers, and making findings including findings under the California Environmental Quality Act.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051509 [General Plan Amendment in connection with the Executive Park -- Candlestick Cove Project] Supervisor Maxwell

Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Executive Park -- Candlestick Cove Project; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the General Plan and the eight Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,

McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

051357 [Requiring the Office of Emergency Services to submit a written report following any declared emergency, activation of the City's Emergency Operations Center, or credible disaster warning] Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Section 7.4-1, to require the Office of Emergency Services to submit a written report to the Disaster Council and the Board of Supervisors following any declared emergency, activation of the City's Emergency Operations Center, or credible disaster warning.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M

051399 [Public Hearing - Street Vacation Order, Portions of Fourth Street]

Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of two (2) portions of Fourth Street from Third Street north to Channel Street; authorizing a grant in fee title of the City and County of San Francisco's rights and interest in the vacated areas to FOCIL; authorizing reservations of certain utility easements in the vacated areas; adopting findings that such vacation of Fourth Street is consistent with the City General Plan and eight policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act (CEQA); accepting Department of Public Works Order No. 175,536; and authorizing official acts in connection with this Ordinance. (Clerk of the Board)

Department of Public Works representative reviewed this matter with the Board members.

The President inquired as to whether or not any member of the public wished to address the Board members

There were none.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

From the Land Use Committee Without Recommendation

Supervisor Sandoval noted absent at 3:20 p.m.

051398 [Mission Bay South - Ordering Street Vacation of portions of Fourth Street]

Ordinance ordering the vacation of two (2) portions of Fourth Street from Third Street north to Channel Street; authorizing a grant in fee title of the City and County of San Francisco's rights and interest in the vacated areas to FOCIL; authorizing reservations of certain utility easements in the vacated areas; adopting findings that such vacation of Fourth Street is consistent with the City General Plan and eight policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act (CEQA); accepting Department of Public Works Order No. 175,536; and authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Sandoval noted present at 3:39 p.m.

Privilege of the Floor

Supervisor Elsbernd, seconded by Supervisor Ma, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Elsbernd introduced, welcomed and presented a Certificate of Honor to the staff of the Harding Golf Course grounds maintenance in recognition of their diligent work before and during the American Express Golf Championship Tournament held at Harding Golf Course.

Recess

The Board recessed at the hour of 3:47 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:06 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin - 9

Supervisor Ammiano was noted present at 4:17 p.m.

Supervisor Sandoval was noted present at 4:22 p.m.

SPECIAL ORDER 4:00 P.M.

051751 [Public Hearing - Appeal of Tentative Parcel Map for 901 Bush Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 6, 2005 (Condominium Application No. 2005.0333Q), disapproving a proposed Tentative Parcel Map to legalize the construction of a 38-unit new condominium at 901 Bush Street, Southwest corner at Taylor Street, San Francisco, Lot 001 in Assessor's Block 0282. (Appellant: Matthew A. Brennan, Esq., on behalf of property owners (M-J SF Investments, LLC).

(Filed 10/13/04; companion measure to Files 051752, 051753, 051754; District 3.)

Barbara Moy, Department of Public Works reviewed the recommendation for denial of the tentative parcel map.

Larry Badiner, Planning Department representative reviewed with the Board the Planning Department's involvement with this project.

Tim Lee, Rent Board representative reviewed with the Board members issues relating to the Rent Ordinance pertaining to this matter.

The President inquired as to whether or not any member of the public wished to address the Board members.

Mathew Brennan, Attorney for appellant (Project Sponsor)

Requested a continuance for 3 weeks

Marge Vincent; support of appellant

Steve Collier,Tenderloin Housing; support of denial of approval of the tentative parcel map

Ted Gullickson; SF Tenants; support of denial of approval of the tentative parcel map

Charles Ratbaun; support of denial of approval of the tentative parcel map

Mrs. MacArthur; support of denial of approval of the tentative parcel map

Francisco di Costa; support of denial of approval of the tentative parcel map

Allison Dixon; support of denial of approval of the tentative parcel map

Continued to January 10, 2006

CONTINUED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051752 [Approving decision of the Director of Public Works and disapproving Tentative Parcel Map for 901 Bush Street]

Motion approving decision of the Director of Public Works, and disapproving Tentative Parcel Map to legalize the proposed construction of a 38-unit condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)

Continued to January 10, 2006

Supervisor Sandoval, seconded by Supervisor Ma, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 1 - Peskin

051753 [Disapproving decision of the Director of Public Works and approving Tentative Parcel Map for 901 Bush Street]

Motion disapproving decision of the Director of Public Works, and approving Tentative Parcel Map to legalize the proposed construction of a 38-unit new condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)

Continued to January 10, 2006

Supervisor Sandoval, seconded by Supervisor Ma, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 1 - Peskin

051754 [Findings - 901 Bush Street]

Motion directing the Clerk of the Board to prepare findings relating to

Tentative Parcel Map to legalize the proposed construction of a 38-unit condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)

Continued to January 10, 2006

Supervisor Sandoval, seconded by Supervisor Ma, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 1 - Peskin

Recess

The Board recessed at the hour of 4:57 p.m.

Reconvening of the Board

The Board reconvened at the hour of 5:45 p.m.

Calling the Roll

The following Supervisors were noted present: Ammiana, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin - 8

Supervisor Sandoval was noted present at 5:46 p.m.

Supervisor Alioto-Pier noted present at 5:55 p.m.

Supervisor McGoldrick noted present at 6:05 p.m.

SPECIAL ORDER 5:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Supervisor Ma was noted absent at 5:50 p.m.

Supervisor Mirkarimi was noted absent at 6:55 p.m.

Supervisor McGoldrick was noted absent at 7:00 p.m.

Supervisor Dufty noted was noted absent at 7:00 p.m.

Supervisor Sandvoval was noted absent at 7:00 p.m.

Supervisor Mirkarimi was noted present at 7:12 p.m.

Supervisor Peskin was noted absent at 7:15 p.m.

Supervisor Dufty was noted present at 7:16 p.m.

Supervisor Sandoval was noted present at 7:20 p.m.

Supervisor McGoldrick was noted present at 7:24 p.m.

Supervisor Peskin was noted present at 7:25 p.m.

Supervisor Ma was noted present at 7:29 p.m.

Supervisor Sandoval was noted absent at 7:44 p.m.

Supervisor Dufty was noted absent at 7:50 p.m.

Supervisor Daly was noted absent at 7:55 p.m.

051739 [Committee of the Whole - City's plan to end gun and gang violence in San Francisco] Supervisors Maxwell, Mirkarimi, Alioto-Pier

Hearing to consider the City's plan to end gun and gang violence in San Francisco.

The President inquired as to whether or not any member of the public wished to address the Board members.

The following speakers expressed concern with the gun and gang violence in San Francisco:

Espanola Jackson, Male speaker gun shot victim, Gerald Bloom, Sharon Hewitt, Ray Balberan, Mesha- Monge Irizarry, Kathy Perry, Erris Edgarly, Daniel Landry, Judy Jacobs, Tracy, Jessica Hazard, Marche, Mitchell Salazar, Eddie Coleman, (Acorn), Female speaker for Seniars, Male speaker, Jeremiah; John Maldonado, Darrell Rathman, Francisco di Costa, Female speaker; Helena Brook, Duran Clinton, John Candido, Kelly, Pam, Donna, Lacante Gil; Coleman Advocates, Male teacher, fram Ida B. Wells School, Jessica Huerta, Hally Crell, teacher fram Ida B. Wells School, Dr. Abner Boles, Bared Fong, Male speaker, Archbishap King, Male speaker, Ace Washingtan, Female Speaker. Marilyn Bayd, Ted Brunfield. Kevin Jefferson, Executive Director of the Ella Hill Hutch Center, C. Hawkins, Shawn Richards, John, Linda Brea, Cammissioner Jim Queen, Juvenile Probation, Christopher Muhammad

The President declared the public hearing clased.

San Francisco Police Chief Heather Fang,Gregg Fortner, Executive Director, Hausing Authority, and Barbara Garcia. Deputy Director, Department af Public Health reviewed with the Baard members steps taken to end gun and gang violence in San Francisco.

HEARD AT PUBLIC HEARING.

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor McGoldrick provided the Board with an update on the Bay Area Air Quality Board on which he represents the Board of Supervisors.

Supervisor Mirkarimi provided the Board with an update on the Local Agency Formation and on the Disaster Council and Children and Families Come First on which he represents the Board of Supervisors.

Supervisor Elsbernd provided the Board with an update on the Health Service System and Airport Planning on which he represents the Board of Supervisors.

Supervisor Ammiano provided the Board with an update on the Municipal Transportation Commission and Golden Gate Bridge District on which he represents the Board of Supervisors.

PUBLIC COMMENT

Keno Grossman; expressed concern with issues relating to streetcars and to internet problems after an earthquake

James Chaffee; expressed concern with issues relating to the SF Library

Eugene Gordon, Jr.; showed interest in issues relating to international basic needs

John Galleto; expressed concern with the three strike law and the implementation of the three strike law

Male speaker; showed interest in legislation to benefit constituents and not power

Lavora Semore; showed concern with issues related to police brutality and requested to assist the Alice Griffith community in finding jobs

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051774 [Gift to the Recreation and Park Department] Supervisor Alioto-Pier

Resolution accepting and expending a gift valued at up to $16,000,000 from the Maybeck Foundation to the Recreation and Park Department for capital

improvements to the Palace of Fine Arts.

Enacted Number: 789-05
ADOPTED

051775 ["Dr. Cynthia Maung Day" on November 6, 2005] Supervisor Ammiano
Resolution declaring "Dr. Cynthia Maung Day" on her visit to the City and County of San Francisco on November 6, 2005.

Enacted Number: 787-05
ADOPTED

051776 [Declaring October 25, 2005 as "Alan Heineman Day" in the City and County of San Francisco] Supervisor McGoldrick
Resolution honoring Alan Heineman and declaring October 25, 2005 as "Alan Heineman Day" in the City and County of San Francisco.

Enacted Number: 788-05
ADOPTED

051777 [Delay local implementation of the State's cannabis identification card system] Supervisor Mirkarimi
Resolution urging the Director of Health to delay local implementation of the State's cannabis identification card program until patients, advocates and City and State Legislators have sufficient time to petition the State Health Department to modify its card program protocols to better protect the anonymity of patients and caregivers, and physicians can be informed of their new obligations under the State card program.

Enacted Number: 794-05
ADOPTED

051746 [Final Map, Planned Development, Mission Bay (200-400 Berry Street)]
Motion approving Final Map, Planned Development, Mission Bay (Block N4), a five (5) lot subdivision, being a Planned Development of Assessor's Block 8704, Lots 1 and 2; approving a public improvement agreement related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan and Plan Documents. (Public Works Department)

(DPW Order No. 175,686; District 6.)

Enacted M05-131

Number:
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051818 [Green Business Program] Supervisor Maxwell

Ordinance amending the Environment Code by adding Chapter 15 to authorize a City-wide Green Business Program.

11/1/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/1/2005.

051819 [Zoning Map Amendment for Blocks 0847 and 0861 of Haight Street] Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sectional Map 7 of the Zoning Map of the City and County of San Francisco to change the use classification of certain property located within Assessor's Block No. 0847 of Haight Street and identified as Lots Nos. 008, 009, 044 and 045 (formerly Lot No. 10), 011, 012, 013, 54 and 55 (formerly Lot No. 14), 015, and 016 from a zoning designation of RH-3 (Residential, House Districts, Three-Family) to NC-2 (Small Scale Neighborhood Commercial District) and Lots Nos. 017, 018, 019, 020, and 021 from a zoning designation of NC-1 (Neighborhood Commercial Cluster District) to NC-2 (Small Scale Neighborhood Commercial District), and to change the use classification of certain property located within Assessor's Block No. 0861 of Haight Street and identified as Lots Nos. 031, 032, 033, and 034 from a zoning designation of RH-3 (Residential, House Districts, Three-Family) to NC-2 (Small Scale Neighborhood Commercial District) and Lots Nos. 022, 023, 025, 026, 027, 028, and 046 through 065 (formerly Lot No. 29) from a zoning designation of NC-1 (Neighborhood Commercial Cluster District) to NC-2 (Small Scale Neighborhood Commercial District); and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

11/1/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/1/2005.

051820 [Settlement of proceeding before the California Public Utilities Commission regarding the December 2003 fire at PG&E's Mission Substation and the subsequent outage] Supervisors McGoldrick, Maxwell

Ordinance authorizing settlement of the proceeding before the California Public Utilities Commission, Investigation 05-03-011, to determine whether

PG&E should be found in violation of state law and fined in connection with the December 2003 fire at the Mission Substation and the subsequent outage affecting 100,000 customers in San Francisco.

11/1/05, RECEIVED AND ASSIGNED to Rules Committee.

051821 [Reenacting a Disadvantaged Business Enterprise Program] Supervisor Ma

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

11/1/05, ASSIGNED to Board of Supervisors.

051822 [Residential Housing Purchaser Protection Ordinance] Supervisor Daly

Draft ordinance amending Administrative Code Section 3710A(h) to require property owners and realtors to disclose to prospective buyers of residential property consisting of two or more units the legal ground(s) for the termination of tenancy and whether any units were occupied by elderly and or disabled tenants at the time of termination of tenancy.

11/1/05, RECEIVED AND ASSIGNED to Land Use Committee.

051827 [Exempting pushcart peddlers with BART permits at 16th and 24th Street Stations from Police permit requirements] Supervisor Ammiano

Ordinance amending Article 17.3 of the Police Code by amending Section 1330 to define BART; adding Section 1330.2 to exempt pushcarts who obtain permits from BART for the 16th St. and 24th St. BART stations or adjacent plaza from obtaining a police permit; amending Section 1330.5 to require the Health Department Director to make a recommendation to BART within 30 days after the filing of such application with BART; amending Section 1330.14 to require the Health Department Director to forward the Certificate of Sanitation decal number assigned to each pushcart under the jurisdiction of BART to BART; and by renumbering Sections 1330.2 through 1330.6.

11/1/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 12/1/2005. 11/09/05 - Referred to the Small Business Commission for comment.

Resolutions

051823 [Multifamily Housing Revenue Bonds - Alabama Street Family/Senior Housing] Supervisor Daly

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $33,000,000 for Alabama Street Family/Senior Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an

amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $33,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

11/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be heard at the November 17, 2005 meeting.

051828 [Extension of Arts Task Force through January 31, 2006] Supervisor Ammiano

Resolution extending the operations of the Arts Task Force through January 31, 2006.

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051830 [International Education Week] Supervisor Ma

Resolution declaring the week of November 14-18, 2005 as "International Education Week" in the City and County of San Francisco.

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051831 [Accept and Expend Grant - Sheriff's Department program providing employment and education services for young offenders in the county jail and after their release] Supervisor Ma

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $311,603 from the Substance Abuse & Mental Health Services Administration for providing jail diversion opportunities involving integrated mental health and substance abuse treatment for incarcerated women.

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051832 [Designating November 13, 2005 as Sisters of the Presentation Day] Supervisors McGoldrick, Elsbernd

Resolution designating November 13, 2005 as Sisters of the Presentation Day.

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051833 [Commending Hayes Valley Community Partners] Supervisor Mirkarimi

Resolution commending the Hayes Valley Community Partners for organizing four neighborhood Halloween celebrations.

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE

AGENDA AT THE NEXT BOARD MEETING.

051834 [Urging Governor Schwarzenegger to grant Stanley Tookie Williams' request for clemency] Supervisor Mirkarimi

Resolution urging Governor Schwarzenegger to grant Stanley Tookie Williams' request for clemency and to support AB-1121, the "California Moratorium on Executions Act."

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051835 [Accept-expend State Grant Funds available under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002] Mayor, Supervisor Daly

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a local assistance grant in the amount of $1,049,000 available under the Urban Park Act of 2001 Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for the development of the South of Market Area Park.

(Fiscal impact.)

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

051824 [City of San Francisco Overall Emergency Shelter System Resources] Supervisor Daly

Hearing on the City of San Francisco Overall Emergency Shelter System Resources and their Usage by Homeless Residents. The purpose of this hearing will be: (1) To explore how the number of shelter beds have fluctuated over the past 10 years and how such fluctuations have impacted existing homeless populations such as immigrants, senior citizens, people with disabilities and families; (2) What is the list of closures and openings of shelter sites and corresponding number of beds over the past ten years; (3) With many shelter sites facing problems with rent increases and substandard buildings, what is the outlook for emergency shelters and beds for the next two years; (4) What is the impact of Care Not Cash on the use and availability of shelter beds; (5) How has reserving shelter beds for CAAP recipients impacting non CAAP homeless residents; (6) How are different populations, such as immigrant, senior citizens, people with disabilities and families, within the homeless community impacted by Care Not Cash policies.

11/1/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051825 [Health Management Associates Report] Supervisor Peskin

Hearing to discuss the recent Health Management Associates report on the effectiveness of the Department of Public Health in providing a continuum of acute and long term health care services.

11/1/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051826 [Long-term healthcare infrastructure and acute care needs in San Francisco] Supervisor Peskin

Hearing to examine the long-term healthcare infrastructure and acute care needs in San Francisco.

11/1/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051836 [Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]

Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

11/1/05, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on November 15, 2005, at 4:00 p.m.

Motions

051817 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051829 [Emergency Disadvantaged Business Enterprise Program - November 15, 2005 - 4 p.m. Committee of the Whole] Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on November 15, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

051745 [Settlement of Lawsuit - Dazell Mallory]

Ordinance authorizing settlement of the lawsuit filed by plaintiff Dazell Mallory against the City and County of San Francisco for payment of $53,150, including all damages, attorneys' fees and costs; the lawsuit was filed on February 24, 2005, in San Francisco Superior Court, Case No. 438-

930, entitled Dazell Mallory v. San Francisco Public Library, the City and County of San Francisco, and Does 1-100. (City Attorney)

10/18/05, RECEIVED AND ASSIGNED to Rules Committee.

051811 [Settlement of Lawsuit - Lucia Wong]

Ordinance authorizing settlement of the lawsuit filed by Lucia Wong against the City and County of San Francisco for $440,000; the lawsuit was filed on May 5, 2004 in San Francisco Superior Court, Case No. 431-126 and waiver of San Francisco General Hospital lien. (City Attorney)

10/24/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

051805 [STOP and YIELD Intersections]

Resolution designating certain intersections as "STOP" or "YIELD" intersections.

STOP SIGNS - ESTABLISH
19th Street and Rhode Island Street, stopping 19th Street at Rhode Island Street, making this uncontrolled T-intersection a One-Way STOP.
Leese Street and Richland Avenue, stopping Richard Avenue at Lesse Street, making this an All-Way STOP.
28th Avenue and Lake Street, stopping the northern intersection of 28th Avenue at Lake Street, making this intersection an All-Way STOP.

YIELD SIGN - ESTABLISH
San Bruno Avenue, southbound, merging onto Bayshore Boulevard, south of Arleta Avenue. (Parking and Traffic Department)

(10/19/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3078.)

10/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 11/15/05 - Parking and Traffic notifed to post required notices and placed in the 11/19/05 edition of the SF Chronicle.

051806 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hillway Avenue, east side, from Carl Street to the north property line of #40 Hillway Avenue.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Hillway Avenue, east side, between Carl Street and Parnassus Avenue.

PARKING METERS, 1-HR. TIME LIMIT - RESCIND
PARKING METERS, 2-HR. TIME LIMIT - ESTABLISH
20th Avenue, parking lot on west side, between Irving Street and Lincoln Way. (Parking and Traffic Department)

(10/19/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3078.)

10/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 11/15/05 - Parking and Traffic notifed to post required notices and placed in the 11/19/05 edition of the SF Chronicle.

051807 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO TURN ON RED - ESTABLISH
Franklin Street, northbound, at Fell Street. (Parking and Traffic Department)

(10/19/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3078.)

10/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 11/15/05 - Parking and Traffic notifed to post required notices and placed in the 11/19/05 edition of the SF Chronicle.

051810 [Lease of Real Property at 1390 Market Street]

Resolution authorizing the renewal and expansion of a lease at 1390 Market Street for the Department of Children, Youth and their Families. (Real Estate Department)

10/24/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to prepare legislation establishing a biodiesel access taskforce to improve access to biodiesel in San Francisco and to create incentives to establish a biodiesel fueling infrastructure.

Text: See suggested language attached.

From: Supervisor Sandoval

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft a Charter Amendment to prohibit severance packages for City employees.

From: Supervisor Ma

To: Director, Planning Department

Requesting/Inquiring: Requesting the Planning Department to report on their procedures for reviewing on-site parking requirements of businesses.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the electric box and lamp post at the northeast intersection of Oak Street and Steiner Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Supervisor Mirkarimi requests that the Department of Parking and Traffic report on the status of removing graffiti from street signs at the intersection of Oak Street and Baker.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Supervisor Mirkarimi requests that the Department of Public Works report on the status of removing graffiti from the:

ú Parking meters on the north and south sides of Haight Street between Masonic Avenue and Stanyan Street.

ú Public garbage cans at the corners of Haight and Ashbury.

ú Public garbage cans on Haight Street between Masonic Avenue and Central.

ú Public garbage can on the Northeast corner of Cole Street and Carl Street.

ú Phone booth on Southwest corner of Haight

In Memoriams

David Gong - Supervisors Peskin and Maxwell

Giles Leong - Supervisor Peskin

Jane Weirick - Supervisor Mirkarimi

Barry Nielsen - Supervisors Dufty and Ammiano

Grimes Poznikov - Supervisor Ammiano

ADJOURNMENT

There being no further business the Board adjourned at the hour of 10:10 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 6, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby Jr. by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy
Copyright © 1999-2005 City & County of San Francisco. All rights reserved.

Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.
JAN - 3 2006
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, November 8, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona*

Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisor Sandoval was noted absent .

There was a quorum.

Supervisor Sandoval was noted present at 2:07 p.m.

Members of the Board acknowledged the outstanding service of Deputy City Attorney Ted Lakey upon his retirement from the City and County of San Francisco.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to approve the October 11, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

AGENDA CHANGES

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

051460 [Subdivision Code fees] Supervisor Dufty

Ordinance amending the Subdivision Code section 1315 to adopt new fees for air space maps, lot subdivisions, condominium conversions, parcel maps, lot merger and resubdivision maps, amended maps, lot line adjustments, lot mergers, certificates of compliance, certificates of correction, records of survey, and other mapping actions and to provide for an annual adjustment of such fees based on the relevant consumer price index; and making environmental findings.

Enacted Number: 251-05
FINALLY PASSED

051461 [Survey Monument Preservation Fee and Fund] Supervisor Dufty

Ordinance amending the San Francisco Administrative Code by adding Section 8.24-6, to authorize the imposition of a $10 grant deed recordation user fee and by adding Section 10.100-50, to create the County Surveyor's Survey Monument Preservation Fund for the deposit and collection of the fee for use by the County Surveyor for the retracement or remonument survey of major historical vertical or horizontal land division lines; amending the San Francisco Subdivision Code by adding Section 1340.1, to authorize the County Surveyor to use the proceeds collected from imposition of the fee to pay for the retracement or remonument survey of major historical vertical or horizontal land division lines; and making environmental findings.

Enacted Number: 258-05
FINALLY PASSED

Recommendations of the Land Use Committee

051508 [Establishing a Visitacion Valley Community Facilities and Infrastructure Fee and Fund] Supervisor Maxwell

Ordinance adding Planning Code Sections 319 through 319.7 to impose a $4.58 per square foot fee on new residential development in the Visitacion Valley area, to establish a Visitacion Valley Community Facilities and Infrastructure Fund to mitigate impacts from residential development on public infrastructure in Visitacion Valley including libraries, streets, playgrounds, recreational facilities, and community centers, and making findings including findings under the California Environmental Quality Act.

Enacted Number: 264-05
FINALLY PASSED

051509 [General Plan Amendment in connection with the Executive Park -- Candlestick Cove Project] Supervisor Maxwell

Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Executive Park -- Candlestick Cove Project; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the General Plan and the eight Priority Policies of Planning Code Section 101.1.

Enacted Number: 263-05
FINALLY PASSED

Recommendations of the Rules Committee

051357 [Requiring the Office of Emergency Services to submit a written report following any declared emergency, activation of the City's Emergency Operations Center, or credible disaster warning] Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Section 7.4-1, to require the Office of Emergency Services to submit a written report to the Disaster Council and the Board of Supervisors following any declared emergency, activation of the City's Emergency Operations Center, or credible disaster warning.

Enacted Number: 253-05
FINALLY PASSED

051354 [Settlement of Lawsuit - George Q. Chen]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against George Q. Chen, for a payment to the Airport in the amount of $113,800.00, and on certain other terms; the lawsuit was filed on December 1, 2003, in United States Bankruptcy Court for the Northern District of California, Adversary Case No. 03-3713 DM and entitled City and County of San Francisco v. George Q. Chen. (City Attorney)

Enacted Number: 260-05
FINALLY PASSED

051583 [Settlement of Lawsuit - Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al]

Ordinance authorizing settlement of the lawsuit filed by Frederick Meiswinkel, Inc. for $1,800,000 against the Hunt Construction Group, Inc. and Hunt cross-complaint against the City and County of San Francisco seeking indemnity from the claims brought by Meiswinkel; the lawsuit was filed on March 2, 2004 in San Francisco Superior Court, Case No. CGC -04-429249; entitled, Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al; other material terms of said settlement are nonmaterial terms. (City Attorney)

Enacted Number: 257-05
FINALLY PASSED

051584 [Settlement of Lawsuit - Kaiser Foundation Hospitals]

Ordinance authorizing settlement of the lawsuit filed by Kaiser Foundation Hospitals against the City and County of San Francisco for $67,500.00; the lawsuit was filed on May 4, 2005 in San Francisco Superior Court, Case No. 429-909; entitled Kaiser Foundation Hospitals v. City and County of San Francisco. (City Attorney)

Enacted Number: 256-05

FINALLY PASSED

051598 [Settlement of Lawsuit - King C. Electric, Inc.]

Ordinance authorizing settlement of the lawsuit filed by King C. Electric, Inc. against the City and County of San Francisco according to the following terms: a) King C. Electric, Inc. ("KCE") pays one hundred nine thousand one hundred eighty-five dollars and ninety-three cents ($109,185.93) to the City; b) the City pays seventy-eight thousand nine hundred eighty-three dollars and twenty-one cents ($78,983.21) to KCE; and c) KCE is debarred from performing construction contracts on City-owned projects for two and a half years. The lawsuit was filed on April 14, 2004 in the Superior Court of the City and County of San Francisco, Case No. CGC-04-430671; entitled King C. Electric, Inc. v. City and County of San Francisco et al. and related cross-action. (City Attorney)

Enacted Number: 255-05

FINALLY PASSED

051654 [Settlement of Lawsuit - Deaf Counseling Advocacy and Referral Agency, et al.]

Ordinance authorizing settlement of the lawsuit filed by Deaf Counseling Advocacy and Referral Agency, et al., against the City and County of San Francisco, et al. for an agreement to make certain disability access improvements at the San Francisco International Airport, and by the payment of $40,000 in damages, $235,000 in attorney's fees, and $14,500 in costs; the lawsuit was filed on April 17, 2002, in US District Court (Case No C02-1844 MEJ). (City Attorney)

Enacted Number: 254-05

FINALLY PASSED

051661 [Settlement of Lawsuit - Walter Reed]

Ordinance authorizing the settlement of a lawsuit filed by Walter Reed against the City and County of San Francisco for $36,000.00; the lawsuit was

filed on December 15, 2003, in San Francisco Superior Court, Case No. 414322, entitled Walter Reed v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 252-05
FINALLY PASSED

051716 [Settlement of Unlitigated Claim - The Hertz Corporation] Supervisor Ammiano

Resolution authorizing settlement of an unlitigated claim with The Hertz Corporation, for a payment to the City in the amount of $250,000.00, and on certain other terms.

Enacted Number: 803-05
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

051744 [Adopting findings related to affirming the categorical exemption for 1070 Sanchez Street]

Motion adopting findings affirming the determination by the Planning Department that the 1070 Sanchez Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-135
APPROVED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Board

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

(Only one of the following two motions should be adopted.)

051446 [Affirm certification of 491 Bayshore Boulevard (Home Depot) FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)

Enacted Number: M05-134

APPROVED by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

051447 [Disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

051448 [Preparation of findings to disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

Recommendation of the Government Audit and Oversight Committee

051414 [Board review required for annual or otherwise recurring grant applications of $5,000,000 or more] Supervisor Maxwell

Ordinance amending Section 10.170 of the Administrative Code to require Board review of proposed annual or otherwise recurring grant applications of $5,000,000 or more prior to their submission.

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Dufty

From the Land Use Committee Without Recommendation

051398 [Mission Bay South - Ordering Street Vacation of portions of Fourth Street]

Ordinance ordering the vacation of two (2) portions of Fourth Street from Third Street north to Channel Street; authorizing a grant in fee title of the City and County of San Francisco's rights and interest in the vacated areas to FOCIL; authorizing reservations of certain utility easements in the vacated areas; adopting findings that such vacation of Fourth Street is consistent with the City General Plan and eight policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act (CEQA); accepting Department of Public Works Order No. 175,536; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Enacted Number: 259-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendation of the Land Use Committee

051581 [Street Artist Winter Holiday Spaces]

Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2005, beginning on November 15, 2005 and ending on January 15, 2006. (Arts Commission)

Enacted Number: 804-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use Committee Without Recommendation

Supervisor Mirkarimi Excused from Voting

Supervisor Dufty, seconded by Supervisor Sandoval, moved to excuse Supervisor Mirkarimi at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051462 [Condominium conversion lottery based on seniority of participation] Supervisors Dufty, Ma, Alioto-Pier

Ordinance amending Subdivision Code Section 1396.1 to prioritize the condominium conversion lottery based on seniority of participation in prior lotteries and making environmental findings.

CONTINUED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Mirkarimi

Continued to November 22, 2005

Supervisor Ma requested to be added as a co-sponsor.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Daly was noted absent at 3:26 p.m.

Privilege of the Floor

Supervisor Ma, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

Supervisor Ma introduced, welcomed and presented a Certificate of Honor to J.T. The Bigger Figure.

Recess

The Board recessed at the hour of 3:47 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:04 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin - 6

Supervisor Ma noted present at 4:06 p.m.

Supervisor Mirkarimi noted present at 4:08 p.m.

SPECIAL ORDER 4:00 P.M.

051755 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 733-27th Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 24, 2005, exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Section 15301 (Class 1)] the proposed interior renovations, fa‡ade alteration and horizontal and vertical extensions of the existing two-family residence. The existing two-story building is approximately 1,848 feet in size and has one off-street parking space. Upon completion of the proposed project, the building would have two residential units in a three-story, approximately 4,700 square-foot building with two off-street parking spaces in the ground floor garage. The proposed project would result in a horizontal addition that would extend the existing building about six feet to the north property line and 18 feet

west into the rear yard and a vertical addition that would add a third floor to the existing building. The project would also include interior renovations and alteration of the fa‡ade.

The approximately 3,710 square-foot project site is located at 733-27th Avenue (Assessor's Block 1617, Lot 3), The project is within RH-2 (House, Two-Family) zoning district and within a 40X height and bulk district. (Appellant: Stephen M. Williams representing the neighbors of the above-referenced project.)

(Filed 10/13/05; companion measure to Files 051756, 051758, 051758; District 1.)

The President inquired as to whether or not any member of the public wished to address the Board members.

Stephen M. Williams, Attorney for the appellant reviewed with the Board a request for a continuance.

David Cincotta, Attorney for the project sponsor reviewed with the Board the reasons not to continue this matter to January 10, 2006.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved to continue to January 10, 2006.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to amend the continuance date to December 13, 2005.

Motion to amend the continuance date to December 13, 2005 failed by the following vote:

Ayes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

Noes: 4 - Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 3 - Ammiano, Daly, Sandoval

Continued to Janaury 10, 2006

Supervisor Ammiano was noted present at 4:24 p.m.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051756 [Affirming the categorical exemption issued for 733-27th Avenue]

Motion affirming the determination by the Planning Department that the 733-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 10, 2005

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval

051757 [Disapproving the categorical exemption issued for 733-27th Avenue]

Motion disapproving the determination by the Planning Department that the 733-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 10, 2005

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval

051758 [Preparation of findings related to the categorical exemption issued for 733-27th Avenue]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 733-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 10, 2005

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; expressed concern with homeless issues

James Chafee; expressed concern with SF Library issues and public

comment

Eugene Gordon, Jr.; showed interest in human interest issues

Walter, shared with the Board stories about his mother

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Supervisor Ammiano was noted absent at 3:40 p.m.

051829 [Emergency Disadvantaged Business Enterprise Program - November 15, 2005 - 4 p.m. Committee of the Whole] Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on November 15, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Enacted Number: M05-133
APPROVED

051828 [Extension of Arts Task Force through January 31, 2006] Supervisor Ammiano

Resolution extending the operations of the Arts Task Force through January 31, 2006.

Enacted Number: 802-05
ADOPTED

051830 [International Education Week] Supervisor Ma

Resolution declaring the week of November 14-18, 2005 as "International Education Week" in the City and County of San Francisco.

Enacted Number: 801-05
ADOPTED

051831 [Accept and Expend Grant - Sheriff's Department program providing employment and education services for young offenders in the county jail and after their release] Supervisor Ma

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $311,603 from the Substance Abuse & Mental Health Services Administration for providing jail diversion opportunities involving integrated mental health and substance abuse treatment for incarcerated women.

Enacted Number: 800-05

ADOPTED

051832 [Designating November 13, 2005 as Sisters of the Presentation Day] Supervisors McGoldrick, Elsbernd

Resolution designating November 13, 2005 as Sisters of the Presentation Day.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 799-05

ADOPTED

051833 [Commending Hayes Valley Community Partners] Supervisor Mirkarimi

Resolution commending the Hayes Valley Community Partners for organizing four neighborhood Halloween celebrations.

Enacted Number: 798-05

ADOPTED

051835 [Accept-expend State Grant Funds available under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002] Mayor, Supervisor Daly

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a local assistance grant in the amount of $1,049,000 available under the Urban Park Act of 2001 Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for the development of the South of Market Area Park.

(Fiscal impact.)

Enacted Number: 795-05

ADOPTED

051817 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-132

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Ammiano, Daly

Supervisor Mirkarimi requested that this matter be severed so that it might be considered separately.

051834 [Urging Governor Schwarzenegger to grant Stanley Tookie Williams' request for clemency] Supervisor Mirkarimi

Resolution urging Governor Schwarzenegger to grant Stanley Tookie Williams' request for clemency and to support AB-1121, the "California Moratorium on Executions Act."

Enacted Number: 816-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Ammiano, Daly

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved ADOPTION of the Commendatory Finding. The motion carried by the

following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Ammiano, Daly

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Ammiano, Daly

051838 [Congratulating the National Gay and Lesbian Task Force on the 18th Annual Creating Change Conference] — Supervisors Dufty, Ammiano

Resolution to congratulate the National Gay and Lesbian Task Force on the 18th Annual Creating Change Conference.

Enacted Number: 797-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Ammiano, Daly

051842 [Commending Deputy City Attorney Sarah Ellen Owsowitz] — Supervisors Peskin, Elsbernd

Resolution commending Sarah Ellen Owsowitz for six years of exemplary public service to San Francisco as a Deputy City Attorney and wishing her well in her future endeavors.

Enacted Number: 796-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Ammiano, Daly

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051841 [Haight Street Alcohol Restricted Use Subdistrict - Permissible bar use in movie theaters] — Supervisor Mirkarimi

Ordinance amending Planning Code Section 781.9 to allow a bar use in a movie theater under specified circumstances in the Haight Street Alcohol Restricted Use Subdistrict; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

11/8/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/8/2005.

051844 [Amending Planning Code Section 610] Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 610 to provide for neutral administrative law judges to conduct reconsideration hearings concerning the Planning Director's assessment of administrative penalties for the unlawful operation of general advertising signs; to make additional procedural clarifications; to establish a fee for requesting a reconsideration hearing; and to make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

11/8/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/8/2005.

Resolutions

051839 [Grant to improve child passenger safety in San Francisco - Department of Public Health] Supervisor Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept and expend a new grant in the amount of $563,195 from the California Office of Traffic Safety (COTS) to improve child passenger safety in San Francisco, to enter into an agreement for the use of these funds, and to add one (1.0) position funded through this grant agreement; for the period of October 1, 2005, to December 31, 2007.

11/8/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be considered for the next available City Operations and Neighborhood Services Committee meeting. 11/14/05 - Referred to Youth Commission.

051845 [Confirmation: City Hall Preservation Advisory Commission] Mayor

Resolution confirming the appointment of Jim Haas, GeeGee Platt and Anne Cervantes for a two year term to the City Hall Preservation Advisory Commission.

11/8/05, RECEIVED AND ASSIGNED to Rules Committee.

051846 [Confirmation: City Hall Preservation Advisory Commission] Mayor

Resolution confirming the appointment of Ellen Schumer and Mae Woo for a

four year term to the City Hall Preservation Advisory Commission.
11/8/05, RECEIVED AND ASSIGNED to Rules Committee.

051847 [Parking Regulations] Supervisor Sandoval

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - ESTABLISH
Alemany Boulevard, westside, from 34 feet to 70 feet north of Ocean Avenue.

(11/8/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)
11/8/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 11/15/05 - Parking and Traffic notifed to post required notices and placed in the 11/19/05 edition of the SF Chronicle.

051848 [Traffic Regulation] Supervisor Mirkarimi

Resolution rescinding traffic regulation on Oak Street.

TOW-AWAY NO PARKING ANYTIME - RESCIND
North side of Oak Street, from Divisadero Street to Buchanan Street.
11/8/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 11/14/05 - Referred to Parking and Traffic for determination of environmental impact. 11/15/05 - Parking and Traffic notifed to post required notices and placed in the 11/19/05 edition of the SF Chronicle.

051849 [STOP Intersections] Supervisor Mirkarimi

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Pierce and Fulton: stopping northbound and southbound at Pierce Street, and eastbound and westbound at Fulton Street, making this intersection an All-Way STOP;
4th Ave. at Hugo: stopping northbound and southbound 4th Ave. and eastbound and westbound Hugo, making this intersection an All-Way STOP;
Octavia at Fulton: stopping eastbound and westbound at Octavia Street;
Stanyan at Alma: stopping northbound and southbound traffic at Stanyan at Alma St.

11/8/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 11/14/05 - Referred to Parking and Traffic for determination of environmental impact. 11/15/05 - Parking and Traffic notifed to post required notices and placed in the 11/19/05 edition of the SF Chronicle. 11/18/05 - Response received from Parking and Traffic, exempt from environmental review.

051850 [Traffic Regulations] Supervisor Sandoval

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
Alemany Boulevard, northbound, from 200 feet west of San Jose Avenue to Niagara Avenue, and from Geneva Avenue to Rousseau Street; and,
Alemany Boulevard, southbound, from Rousseau Street to Seneca Avenue, and from Geneva Avenue to San Jose Avenue.

LEFT LANE MUST TURN LEFT - ESTABLISH
Alemany Boulevard, southbound, at Geneva Avenue; and,
Alemany Boulevard, northbound, at Geneva Avenue.

RIGHT LANE MUST TURN RIGHT - ESTABLISH
Alemany Boulevard, northbound, at San Jose Avenue/Regent Street; and
Alemany Boulevard, southbound, at Rousseau Street.

(11/8/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

11/8/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 11/15/05 - Parking and Traffic notifed to post required notices and placed in the 11/19/05 edition of the SF Chronicle.

051862 [Averting SFUSD Strike] Supervisor Ammiano

Resolution urging the San Francisco Unified School District and SEIU to come to an agreement that averts a potential strike that would be harmful to the children and youth of San Francisco and rely on information provided by the City Controller where this can be helpful.

11/8/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051863 [American Indian Heritage Month] Supervisor Ma

Resolution declaring November 2005 as "American Indian Heritage Month" in the City and County of San Francisco.

11/8/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051864 [Extending the term of service for the Power Plant Task Force] Supervisor Maxwell

Resolution to extend the expiration date of the Power Plant Task Force from November 1, 2005 to November 1, 2006.

11/8/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051865 [Issuance and Sale of Revenue Bonds - Jewish Home of San Francisco] Supervisor Sandoval

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $38,000,000 for the financing of the remodeling of and construction of additions to a residential and care facility owned by the Jewish Home of San Francisco.

11/8/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051866 [Commending Rabbi Kenneth R. Leitner] Supervisors Sandoval, Dufty, Peskin

Resolution commending Rabbi Kenneth R. Leitner for his exceptional qualities as a religious leader and congratulating him on his installation as the new senior rabbi at the Congregation Beth Sholom.

11/8/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

051843 [Rules of Order - Public Testimony Provisions] Supervisor Peskin

Motion amending the Rules of Order of the Board of Supervisors to add Rule 1.1.1, which will adopt public testimony procedures for the Board and its Committees.

11/8/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

Requests Granted

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation to prevent the eviction of families with school aged children during the school year in order to prohibit the occurrence of disruption in children's education and development caused by relocating.

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft interim controls to impose a Conditional Use requirement for commercial development on Bayshore Boulevard over 40,000 square feet.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repaving the 1900 block of Laguna Street.

cc: Mark Tangard

1905 Laguna Street, Unit 106

San Francisco, CA 94115

From: Supervisor Mirkarimi

To: Director, Department of Recreation and Parks

Requesting/Inquiring: Requesting that a thorough explanation as to the justification of how the Recreation and Parks Department repetitively refuses to take care of park operations (denying full-time and part-time gardeners and other maintenance staff) within District 5, but at a moments notice, will dispatch sizable crews (on a Sunday for overtime pay) to perform maintenance and gardening functions for visiting dignitaries whereas otherwise, these parks needs have remained unattended for much of the last year. A reply is expected in writing prior to our meeting - a meeting has been called with Recreation and Park Department Director and senior staff for November.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of repairing a hole in the sidewalk near 913 Cole Street

In Memoriams

In Memoriams

Cheryl Towns - Supervisors Maxwell and Dufty

E. Lucille Ramstetter - Supervisor Ma

Charlie Passanisi - Supervisor Elsbernd

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:26 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 6, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby Jr. by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999-2005 City & County of San Francisco. All rights reserved.

Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.
JAN - 3 2006
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, November 15, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Fiona Ma, Sophie*

Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *Sean Elsbernd.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll Supervisor Elsbernd was noted absent.

There was a quorum.

Supervisor Elsbernd was previously excused. (See Infra)

Supervisor Elsbernd Excused from Attendance

Supervisor Dufty, seconded by Supervisor Ammiano, moved to excuse Supervisor Elsbernd from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

AGENDA CHANGES

The President informed the Board that the following items will be heard after the 4:30 p.m. Special Order:

File Nos. 021250, 051747, and 051748.

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

051589 [Traffic Regulations] Supervisor Daly

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY - RESCIND
RIGHT TURN ONLY ONTO SAN JOSE AVENUE - ESTABLISH

Brook Street, westbound, at San Jose Avenue

NO TURN ON RED - ESTABLISH
Sacramento Street, westbound at Stockton Street; and,
Stockton Street, southbound, at Sacramento Street (to facilitate the installation of pedestrian scramble).

ONE-WAY STREET (NORTHBOUND) - RESCIND
ONE-WAY STREET (SOUTHBOUND) - ESTABLISH
Ritch Street, between Brannan and Bryant Streets (200 block). (Parking and Traffic Department)

Enacted Number: 812-05
ADOPTED

051597 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Alameda Street, both sides, between Potrero Avenue and Utah Street; and,
Utah Street, west side, between Alameda and 15th Streets.

2-HOUR PARKING, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Marin Street, both sides, from Evans Avenue easterly to the terminus.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Langton Street, both sides, from Bryant Street to 272 feet southerly (the end of the public right-of-way (300 block)).

SIDEWALK WIDTH - REDUCE
PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Ingerson Avenue, south side, from 40 feet to 100 feet east of 3rd Street (sidewalk would be reduced from being 25 feet to 15 feet wide).

DIAGONAL (45-DEGREE ANGLE) PARKING - ESTABLISH
Brannan Street, northeast side, from approximately 103 feet east of Colin P. Kelly, Jr. Street to approximately 36 feet west of Delancey Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Folsom Street, north side, from 1st Street to 140 feet westerly. (Parking and Traffic Department)

Enacted Number: 811-05
ADOPTED

051680 [STOP Intersections - Cabrillo Street and 4th Avenue] Supervisor McGoldrick

Resolution establishing a STOP sign on Cabrillo Street and 4th Avenue,

stopping on Cabrillo Street, making this intersection a 4 way STOP.

STOP SIGNS - ESTABLISH
Cabrillo Street and 4th Avenue, stopping Cabrillo Street, making this intersection an All-Way STOP.

Enacted Number: 810-05
ADOPTED

051725 [Accept-Expend State Grant - Department of Parking and Traffic] Supervisors Ammiano, Ma

Resolution authorizing the Department of Parking and Traffic to apply for, accept and expend a grant in the amount of $706,500 from the California Department of Transportation for Safe Routes to School grant funding.

Enacted Number: 809-05
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

051250 [Medical cannabis guidelines and medical cannabis dispensary zoning and permitting] Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.131, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house residential-mixed zoning districts, industrial districts, and certain mixed use districts; prohibit new medical cannabis dispensaries in neighborhood commercial cluster (NC-1) districts; permit dispensaries elsewhere subject to restrictions based on a dispensary's proximity to schools, community centers, and facilities providing substance abuse services that are licensed

or certified by the State of California or funded by the Department of Public Health; require adequate ventilation in dispensaries; prohibit the sale or distribution of alcohol at dispensaries; require Planning Department notice to interested individuals and properties within 300 feet of proposed dispensaries; require the Planning Commission to hold a discretionary review hearing on each medical cannabis dispensary application; require dispensaries operating as of April 1, 2005 to obtain a permit within 18 months of the effective date of this legislation or must cease operations; require dispensaries beginning operation after April 1, 2005 but before the effective date of this legislation to cease operations; require a notice that permits for dispensaries are not intended to and do not authorize the violation of State or Federal law; and make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan;
Amending the San Francisco Health Code by adding Sections 3200 through 3220, to: set medical cannabis possession guidelines; require a permit, business license, and business registration certificate for a medical cannabis dispensary; set out the application process for a medical cannabis permit; set out operating requirements for medical cannabis dispensaries including signage and advertising requirements; and set out the administrative process for imposing penalties and/or permit suspension or revocation for violations;
Amending the San Francisco Traffic Code by amending Sections 53 and 132, to create an infraction for double parking in front of a medical cannabis dispensary and set the fine at $100; and,
Amending the San Francisco Business and Tax Regulations Code by amending Section 1 to add Sections 1.177 to authorize the Department of Health to issue medical cannabis dispensary permits.

Supervisor Mirkarimi, seconded by Supervisor Daly, moved an amendment of the whole bearing new title.

Motion to amend passed by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 1- Sandoval

Excused: 1- Elsbernd

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved to amend on page 54, line 12, to include specific language referring to wheelchair accessibility.

Motion to amend passed by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 1- Sandoval

Excused: 1 - Elsbernd

Supervisor Dufty, seconded by Supervisor Maxwell, moved to amend by inserting language in Planning Code Sections 209.3, (k) (j), 217 (k) (j), 790.141 (j), 890.133 (j,), 209.3 (k) (i), 217 (k) (i), 790.141 (i) and 890.133 (i) by "not withstanding the foregoing, in no case shall a dispensary that has had or has a suspended or revoked permit be considered to be in continuous operation."

Motion to amend passed by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 1- Sandoval

Excused: 1- Elsbernd

Supervisor Mirkarimi, seconded by Supervisor Daly, moved to amend by inserting language on pages 11, 20, 37, and 39 relating to medical cannabis dispensary located not less than 1000 feet from school "unless not required by State Law."

Motion to amend passed by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 1- Sandoval

Excused: 1- Elsbernd

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Elsbernd

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.133, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house, and residential-mixed zoning districts, industrial districts, and certain mixed use districts; prohibit new medical cannabis dispensaries in neighborhood commercial cluster (NC-1) districts; permit dispensaries elsewhere subject to restrictions based on a dispensary's proximity to schools, community centers, and facilities providing substance abuse services that are licensed or certified by the State of California or funded by the Department of Public Health; require adequate ventilation in dispensaries; prohibit the sale or distribution of alcohol at dispensaries; require Planning Department notice to interested individuals and properties within 300 feet of proposed dispensaries; require the Planning Commission to hold a discretionary review hearing on each medical cannabis dispensary application; require

dispensaries operating as of April 1, 2005 to obtain a permit within 18 months of the effective date of this legislation or cease operations; require dispensaries beginning operation after April 1, 2005 but before the effective date of this legislation to cease operations; require dispensaries seeking to begin operations after the effective date of this legislation to obtain a permit; require a notice that permits for dispensaries are not intended to and do not authorize the violation of State or Federal law; and make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan;
Amending the San Francisco Health Code by adding Sections 3200 through 3221, to: set medical cannabis possession guidelines; require a permit, business license, and business registration certificate for a medical cannabis dispensary; set out the application process for a medical cannabis permit; set out operating requirements for medical cannabis dispensaries including signage and advertising requirements; and set out the administrative process for imposing penalties and/or permit suspension or revocation for violations;
Amending the San Francisco Traffic Code by amending Sections 53 and 132, to create an infraction for double parking in front of a medical cannabis dispensary and set the fine at $100; and,
Amending the San Francisco Business and Tax Regulations Code by amending Section 1, to add Section 1.177, to authorize the Department of Health to issue medical cannabis dispensary permits.

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Elsbernd

Supervisors Daly and McGoldrick were noted absent at 4:52 p.m.

051747 [Setting a permit application fee and an annual license fee for medical cannabis dispensaries] Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code to add Section 3204 setting an application fee for a medical cannabis dispensary permit and amending the Business and Tax Regulations Code to add Section 249.17 to provide for an annual license fee for permitted medical cannabis dispensaries.

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick
Excused: 1 - Elsbernd

051748 [Medical cannabis dispensary application fee increase and adjustment of application and annual license fees based on changes in CPI] Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code to amend Section 3204 to provide for adjustments of the application fee for medical cannabis dispensary permits based on changes to the consumer price index and amending the Business and Tax Regulations Code to amend Section 249.17 to provide for adjustments in the medical cannabis dispensaries annual license fees based on changes to the consumer price index.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick
Excused: 1 - Elsbernd

Recommendation of the Government Audit and Oversight Committee

051414 [Board review required for annual or otherwise recurring grant applications of $5,000,000 or more] Supervisor Maxwell

Ordinance amending Section 10.170 of the Administrative Code to require Board review of proposed annual or otherwise recurring grant applications of $5,000,000 or more prior to their submission.

Enacted Number: 265-05

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Dufty
Excused: 1 - Elsbernd

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

051459 [Parking Restrictions] Supervisor McGoldrick

Ordinance amending the San Francisco Traffic Code by amending Section 3.6.1 to redefine the Downtown Core area, by amending 38.B to prohibit no stopping except for the loading or unloading of passengers or freight in the Downtown Core, by amending 38.B.1 to prohibit no stopping except for the

loading or unloading of passengers or freight outside of the Downtown Core, by amending 201.1 to revise the boundaries for Parking Meter Area Number One, and by amending 201.2 to revise the boundaries for Parking Meter Area Number Two.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051605 [Penalties related to dog licensing] Supervisor Dufty

Ordinance amending Article 1, Section 41.25 of the San Francisco Health Code by increasing penalties imposed for failing to license a dog or obtain a young dog certificate from not less than $25 nor more than $50 to exactly $100; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051606 [Penalties related to vicious and dangerous dogs] Supervisor Dufty

Ordinance amending Article 1, Section 42.2 of the San Francisco Health Code to transfer authority for registration of vicious and dangerous dogs from the Department of Public Health to the Department of Animal Care & Control, increase the vicious and dangerous dog registration fee from $50 to $250, allow for microchipping as an alternative form of permanent identification for dogs, and clarify standards for outdoor enclosures; amending Section 42.3 to adjust hearing deadlines for vicious and dangerous dog hearings; and amending Section 42.4 making a second or subsequent violation within any 12-month period from the initial incident punishable as a misdemeanor, and to allocate dog registration fees and fines collected for violations of Sections 42 through 42.3 to the Department of Animal Care & Control for enforcement of the vicious and dangerous dog program; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051607 [Mandating the spaying and neutering of pit bulls and prohibiting non-permitted breeding of pit bulls] Supervisor Dufty

Ordinance amending Article 1 of the San Francisco Health Code by: adding Section 43, to define pit bull and to create a procedure for determining breed; adding Section 43.1, to require every pit bull in the City and County of San Francisco to be spayed or neutered unless one of the enumerated exceptions apply; adding Section 43.2, to establish fines of $100 to $1000 for failing to spay or neuter, to limit an owner from redeeming an

impounded unspayed or unneutered pit bull, to provide a procedure for the Department of Animal Care and Control to spay or neuter a pit bull upon a deposit of $100 with an ultimate fee of the actual expenses incurred, and to set a fee of $60 for Animal Care and Control to transport a pit bull to a private veterinarian for spaying or neutering; adding Section 43.3, to allocate fines to the Department of Animal Care and Control; adding Section 43.4 to provide an operative date; adding Section 44, to provide permit requirements for the breeding and/or transferring ownership or possession of pit bull puppies within the City and County of San Francisco; adding Section 44.1, to create a permit procedure including standards for granting or denying a permit and establish a permit fee of $100; adding Section 44.2, to create a procedure for revoking a permit; adding Section 44.3, to require posting of permit numbers on any offer of sale, trade or adoption and to require permit holders to inform the Department of Animal Care and Control of the number of puppies born and transfer of ownership or possession of puppies; adding Section 44.4, to create fines of $100 to $1000 for failure to comply with permit requirements; adding Section 44.5, to allocate fines to the Department of Animal Care and Control; adding Section 44.6, to define exceptions to the breeding permit posting requirements; adding Section 44.7 to provide an operative date; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051474 [Parking Regulations] Supervisor McGoldrick

Resolution enacting and rescinding parking regulations at various locations.

PARKING METERS (TO BE IN EFFECT 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 2-HOUR TIME LIMIT) - ESTABLISH
2nd Street, between Bryant and Townsend Streets
Brannan Street, between 4th and 2nd Street
Folsom Street, between 1st and Spear Streets
Fremont Street, between Folsom and Harrison Streets
Harrison Street, between 2nd and Fremont Streets
Main Street, between Harrison and Folsom Streets
Spear Street, between Folsom and Harrison Streets
Townsend Street, between 2nd and 3rd Streets

TOW-AWAY NO PARKING - RESCIND
Folsom Street, south side, between Main and Spear Streets

Supervisor Ammiano, seconded by Supervisor Maxwell, moved to further amended by inserting a policy statement.

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

Recommendations of the Land Use Committee

050496 [Increasing height exemption for elevator penthouses from 10 feet to 16 feet] Supervisor Alioto-Pier

Ordinance amending the San Francisco Planning Code by amending Section 260 to increase the height exemption for elevator penthouses from 10 feet to 16 feet so long as the penthouse is limited to the footprint of the elevator shaft, to require that the design of all elevator penthouses in Residential districts be consistent with the "Residential Design Guidelines," to allow the Zoning Administrator to, after a public hearing, grant further exemptions for buildings with height limits of more than 65 feet where such an exemption is required to meet state or federal laws or regulations, and after providing neighborhood notice, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051769 [Zoning - 16 Month and 15 Day Extension of Interim Moratorium on Medical Cannabis Dispensaries] Supervisor Mirkarimi

Urgency ordinance approving a 16 month and 15 day extension of the interim zoning moratorium throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Enacted Number: 262-05

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

Recess

The Board recessed at the hour of 3:34 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:04 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Ma, Mirkarimi, Peskin - 7

Supervisor Maxwell was noted present at 4:05 p.m.

Supervisor Elsbernd was excused.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

051836 [Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]

Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

051821 [Reenacting a Disadvantaged Business Enterprise Program] Supervisor Ma

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Enacted Number: 261-05

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval
Excused: 1 - Elsbernd

SPECIAL ORDER 4:00 P.M.

051740 [Public Hearing - Appeal of Final Mitigated Negative Declaration for 680 Illinois Street/2075 Third Street]

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on September 22, 2005, approving the Final Mitigated Negative Declaration (Case No. 2004.0546E), for the proposed demolition of two concrete warehouse/garage structures at 680 Illinois Street and 550 18th Street and construct one 50-foot tall building consisting of 35 dwelling units, 7,000 square feet of retail/commercial space, and about 41 off-street parking spaces. The project fronts on Illinois, Third and 18th Streets. The project would include a total of 74,012 square feet in five-stories, including four commercial spaces totalling 7,000-gsf on the ground floor - two facing Illinois Street, and one facing 18th and Third Streets. The 50,966-sf residential uses would have open space provided through a second story deck. The 10,580-sf parking garage would be at the ground floor and accessed from Illinois Street. The two warehouse structures located at 680 Illinois Street (or 2075 Third Street) and 550 18th Street are included in the Central Waterfront Cultural Resource Survey, the M-2 Zoning district and a 50-X height and bulk district, Assessors Block 3994, Lots 3 and 7. (Appellant: Mark R. Wolfe, Attorney for Patrick Mulligan, Financial Secretary, Carpenters Union Local 22 and Tom McCarthy, member, Carpenters Union Local 22.)

(Filed 10/19/05; companion measure to Files 051741, 051742, 051743; District 10.)

The President inquired as to whether any member of the public wished to address the Board.

Alex Lansberg, representative of the appellant indicating the withdrawal of the appeal

John Sanger, attorney for project sponsor requested that this matter be heard today or requested a shorter continuance be granted

Susan Oslich, Dogpatch Association

Supervisor Maxwell, moved to continue this matter to December 6, 2005

Motion failed for lack of a second.

Continued to November 22, 2005

Supervisor Maxwell, seconded by Supervisor Ammiano, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin
Noes: 1 - Ma
Absent: 2 - McGoldrick, Sandoval
Excused: 1 - Elsbernd

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051741 [Affirm adoption of the final negative declaration for 680 Illinois Street/2075 Third Street]

Motion affirming Planning Commission adoption of the final negative declaration for 680 Illinois Street/2075 Third Street. (Clerk of the Board)

Continued to November 22, 2005

Supervisor Maxwell, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin
Noes: 1 - Ma
Absent: 2 - McGoldrick, Sandoval
Excused: 1 - Elsbernd

051742 [Reversing adoption of the final negative declaration for 680 Illinois Street/2075 Third Street]

Motion reversing the Planning Commission adoption of the final negative declaration for 680 Illinois Street/2075 Third Street. (Clerk of the Board)

Continued to November 22, 2005

Supervisor Maxwell, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin
Noes: 1 - Ma
Absent: 2 - McGoldrick, Sandoval
Excused: 1 - Elsbernd

051743 [Preparation of findings to reverse adoption of the final negative declaration for 680 Illinois Street/2075 Third Street]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final negative declaration for 680 Illinois Street/2075 Third Street. (Clerk of the Board)

Continued to November 22, 2005

Supervisor Maxwell, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval
Excused: 1 - Elsbernd

Recess

The Board recessed at the hour of 4:23 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:30 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin - 7

Supervisor Ammiano was noted present at 4:36 p.m.

Supervisor McGoldrick was noted present at 4:41p.m.

SPECIAL ORDER 4:30 P.M.

051801 [Public Hearing - Appeal of Categorical Exemption issued for the Medical Cannabis Dispensary ordinances]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 25, 2005, Case No. 2005.0664E, exempting from environmental review under General Rule Exclusion (State CEQA Guidelines Section 15061(b)(3)), the proposed legislation relating to the San Francisco Medical Cannabis Dispensary Code Amendments. This matter is a companion measure to Board File Nos. 051747, 051748, and 051250. (Appellant: Mr. Bill Barnes).
Version.
(Filed October 21, 2005).

The President inquired as to whether any member of the public wished to address the Board.

Bill Barnes, Appellant indicating proposed amendment to the ordinance will address his concerns.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051802 [Affirming the categorical exemption issued for the Medical Cannabis Dispensary ordinances]

Motion affirming the determination by the Planning Department that the Medical Cannabis Dispensary ordinances are categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-137

Supervisor Mirkarimi, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval
Excused: 1 - Elsbernd

051803 [Disapproving the categorical exemption issued for the Medical Cannabis Dispensary ordinances]

Motion disapproving the determination by the Planning Department that the Medical Cannabis Dispensary ordinances are categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Daly, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval
Excused: 1 - Elsbernd

051804 [Preparation of findings related to the categorical exemption issued for the Medical Cannabis Dispensary ordinances]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the Medical Cannabis Dispensary ordinances are categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-136

Supervisor Mirkarimi, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval
Excused: 1 - Elsbernd

COMMITTEE REPORTS

051586 [Settlement of Lawsuit - Microsoft Corporation, et al.]

Ordinance authorizing settlement of the class-action lawsuit filed by the City and County of San Francisco against Microsoft Corporation for $1,000,000; the lawsuit was filed on August 27, 2004 in San Francisco Superior Court; entitled City and County of San Francisco, et al., v. Microsoft Corporation, et al.; Microsoft removed the action to federal court and then transferred the action to the United States District Court for the District of Maryland. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

051811 [Settlement of Lawsuit - Lucia Wong]

Ordinance authorizing settlement of the lawsuit filed by Lucia Wong against the City and County of San Francisco for $440,000; the lawsuit was filed on May 5, 2004 in San Francisco Superior Court, Case No. 431-126 and waiver of San Francisco General Hospital lien. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Dufty provided the Board with an update on the Golden Gate Bridge Board District on which he represents the Board of Supervisors.

PUBLIC COMMENT

Kimo Crossman; expressed concern with public hearings relating to TechConnect initiatives

James Chaffee; expressed concern with issues relating to the SF Public Library

Walter; expressed sympathy for the death of Lucille Romstetter

John di Donna; showed interest in gay men issues

Ahimsa Porter Sumshai, MD.; requested the Boord introduce a resolution for San Francisco to divest from companies doing business in the Sudan

Eugene Gordan, Jr. expressed concern with human right issues

Denise Dionne; expressed concern with the stotements made by Bill O'Reilly

Abdullah Megaheed; expressed concern with homeless and general issues

Female speaker; showed interest in the medical cannobis clubs

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These meosures are introduced for adaption without committee reference. A unanimous vote is required for adaption of a resolution todoy. Any Supervisor moy require any resolution to go to committee.

Supervisors McGoldrick and Sandoval were noted absent ot 3:30 pm.

051862 [Averting SFUSD Strike] Supervisor Ammiano

Resolution urging the San Francisco Unified School District and SEIU to come to an agreement that averts a potential strike that would be harmful to the children and youth of San Francisco and rely on information provided by the City Controller where this can be helpful.

Enacted Number: 815-05

ADOPTED

051863 [American Indian Heritage Month] Supervisor Ma

Resolution declaring November 2005 as "American Indian Heritage Month" in the City and County of San Francisco.

Enacted Number: 808-05

ADOPTED

051864 [Extending the term of service for the Power Plant Task Force] Supervisor Maxwell

Resolution to extend the expiration date of the Power Plant Task Force from November 1, 2005 to November 1, 2006.

Enacted Number: 807-05

ADOPTED

051865 [Issuance and Sale of Revenue Bonds - Jewish Home of San Francisco] Supervisor Sandoval

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $38,000,000 for the financing of the remodeling of and construction of additions to a residential and care facility owned by the Jewish Home of San Francisco.

Enacted Number: 806-05

ADOPTED

051866 [Commending Rabbi Kenneth R. Leitner] Supervisors Sandoval, Dufty, Peskin

Resolution commending Rabbi Kenneth R. Leitner for his exceptional qualities as a religious leader and congratulating him on his installation as the new senior rabbi at the Congregation Beth Sholom.

Enacted Number: 805-05

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval
Excused: 1 - Elsbernd

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatary Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Daly, moved ADOPTION of the purely Commendatory Finding. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval
Excused: 1 - Elsbernd

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate actian and the need to take action came to the attentian of the City and County of San Francisca after the agenda was pasted.

Supervisor Dufty, seconded by Supervisor Daly, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval
Excused: 1 - Elsbernd

051794 [Commending outgoing San Francisco Examiner City Hall reporter Jo Stanley] — Supervisors Peskin, Daly, Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, Mirkarimi

Resolution commending outgoing San Francisco Examiner City Hall reporter Jo Stanley, and wishing her the best in her future endeavors.

Enacted Number: 814-05

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick
Excused: 1 - Elsbernd

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051792 [Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee] — Supervisors Maxwell, Dufty, Peskin, Ma, Mirkarimi

Ordinance amending the Administrative Code to add Chapter 26, ("Deemed Approved Off-Sale Alcohol Use Nuisance Regulations") deeming all existing

non-conforming and permitted off-sale alcohol uses "approved;" establishing an administrative hearing process to abate nuisance activities by deemed approved off-sale alcohol uses; creating a list of performance standards which reflect existing local nuisance and related state and federal laws; providing for an education and outreach program; authorizing penalties for violation of performance standards including administrative penalties from $500 to $1000 or revocation of deemed approved status; providing for appeals of conditions or administrative penalties to the Board of Appeals; providing for appeals of the revocation of deemed approved status to the Board of Supervisors or the Board of Appeals; setting an annual fee of $264 for deemed approved off-sale alcohol uses; and amending the Administrative Code to add Sections 10.19-5 and 10.19-6 to establish deemed approved off-sale alcohol use nuisance regulation project accounts within the City's General Fund and making environmental findings.

(Fiscal impact.)

11/15/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/15/2005.

051887 [Amendments to Administrative Code Section 10B] — Supervisor Peskin

Ordinance amending section 10B.2 of the Administrative Code to eliminate the provisions allowing the Mayor to waive payment for services under this chapter, and amending section 10B.20 of the Administrative Code to provide that any person, firm or corporation who receives a permit under section 10B and who is in arrears more than 90 days for payment required shall not be eligible for a future permit.

11/15/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051889 [Policy that the City should supply electricity to new City developments where feasible] — Supervisor Mirkarimi

Ordinance establishing as the policy of the City and County of San Francisco that, where feasible, the City shall be the electricity provider for new City developments, including military bases and redevelopment projects.

11/15/05, RECEIVED AND ASSIGNED to Land Use Committee.

Resolutions

051794 [Commending outgoing San Francisco Examiner City Hall reporter Jo Stanley] — Supervisors Peskin, Daly, Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, Mirkarimi

Resolution commending outgoing San Francisco Examiner City Hall reporter Jo Stanley, and wishing her the best in her future endeavors.

11/15/05, ADOPTED.

051795 [Supporting plug-in hybrid vehicle technology] — Supervisor Daly

Resolution urging the Director of Administrative Services and the Director of Contract Administration to purchase plug-in hybrid vehicles for the city fleet, and committing the City and County of San Francisco to support local,

state and federal programs that support these vehicles and promote plug-in electric hybrid vehicles.

11/15/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051888 [Rescind Tow-away on Columbus Avenue] Supervisor Peskin

Resolution rescinding parking regulations on the 200 Block of Columbus Avenue.

TOW-AWAY NO STOPPING, 4PM, MONDAY THROUGH FRIDAY - RESCIND
Columbus Avenue, east-side, between Pacific Avenue and Broadway.

11/15/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051890 [Traffic Regulations - 18th Street] Supervisor Dufty

Resolution rescinding No Parking 7am-4pm except Saturday and Sunday on 18th Street, north side, between Dolores and Church Streets.

NO PARKING 7A-4P EXCEPT SATURDAY AND SUNDAY- RESCIND
18th Street, north side, between Dolores and Church Streets

11/15/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 11/16/05 - Referred to Parking and Traffic for environmental review. 11/16/05 - Parking and Traffic notifed to post required notices and placed in the 11/19/05 edition of the SF Chronicle. 11/23/05 - Response received from Parking and Traffic, Categorically exempt from environmental review.

051891 [Bartlett Garage Contract] Supervisor Ammiano

Resolution urging the Board of Directors of the San Francisco Metropolitan Transportation Agency to delay finalizing the Bartlett Garage contract and to consider dividing the contract between Mission Economic Development Association, a Mission District-based non-profit organization, and Pacific Park Management.

11/15/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051892 [Bill O'Reilly] Supervisors Daly, Maxwell, Mirkarimi, Peskin, Ammiano

Resolution urging Fox News Corporation and Westwood One to terminate the employment of news show host Bill O'Reilly for speech condoning acts of terrorism.

11/15/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051893 [Urging Federal Communications Commission to closely examine KNEW 910 AM license renewal application] Supervisor Daly

Resolution urging the Federal Communications Commission to closely examine radio station KNEW 910 AM's license renewal application in light of a public petition from Media Alliance, the Youth Media Council and Accion Latina to deny KNEW's application for breach of "the public interest".

11/15/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051894 [Hepatitis Screening Month] Supervisors Ma, Dufty

Resolution declaring November 2005 to be " Hepatitis Screening Month" in the City and County of San Francisco.

11/15/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051895 [Commending Congresswoman Nancy Pelosi and San Francisco Businessman Lou Giraudo] Supervisors Peskin, Elsbernd, Alioto-Pier, McGoldrick, Ma

Resolution commending Congresswoman Nancy Pelosi and San Francisco businessman Lou Giraudo for their roles in the resolving the labor dispute between SEIU United Healthcare Workers - West and the California Pacific Medical Center (CPMC) in San Francisco and St. Luke's.

11/15/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

051793 [SOMA Stabilization Fund] Supervisor Daly

Hearing on MOCD's proposed regulations and administration of the SOMA Stabilization Fund.

11/15/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051796 [Status of the City's only owned apartment building (Midtown Park Corporation)] Supervisor Mirkarimi

Hearing on the status of the City's only owned apartment building (Midtown Park Corporation), and any possible plans for selling or converting said property and how those plans implicate existing tenants and strategies.

(Hearing participants require the Mayor's Office on Housing, Mid-Town Park Apartment Association, and Redevelopment Agency.)

11/15/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Time sensitive hearing.

051797 [San Francisco's Emergency Warning System and 65 Emergency Sirens] Supervisors Peskin, Alioto-Pier

Hearing regarding San Francisco's Emergency Warning System, specifically the City's 65 emergency sirens, to investigate the following questions:

(1) In the light of recent news regarding the existence of numerous "acoustic shadows" or dead spots in the siren network, what is the current system capability? Where is it currently audible? Where is it not audible?
(2) Why has the City chosen not to pre-record warning messages for a variety of catastrophic events?
(3) What preparations have been made to have live messages in real-time in various languages at the time of a catastrophic disaster in San Francisco? What are the written protocols for such? What language capacity is there for

such? During what hours of the day?
(4) Did the current contractor fail to fulfill the original scope of work? If so, when did the City realize the system was not working per the specifications in the original proposal?
(5) If upgrades or repairs are necessary to remedy shortfalls in the existing siren system, what is the estimated cost and funding source for these repairs? Will this additional funding be subject to the budgetary authority of the Board of Supervisors? When would these upgrades be completed?

11/15/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051798 [Public oversight for TechConnect, the Mayor's proposed City-wide universal wireless broadband network] Supervisor Daly

Hearing to discuss how the City can have a more consumer-driven rather than tech industry-driven process for establishing a TechConnect network in San Francisco. What is the DTIS' plan to ensure that TechConnect will bridge the digital divide and not simply serve people who are already connected to wireless technology? What criteria is the DTIS using to decide upon a tech provider? How will DTIS provide valuable public forums to assure the broadest possible discussion for TechConnect programs that meet the needs of underserved communities?

11/15/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051799 [Status of the Agreement protecting the public interest in certain improvements and developments of Parcel 4 at the corner of Balboa Street and the Great Highway] Supervisor McGoldrick

Hearing to determine the status of the April 10, 2003 Agreement protecting the public interest in certain improvements and developments of Parcel 4 at the corner of Balboa Street and the Great Highway.

(The agreement is intended to provide for the completion of the development of Parcel 4, its maintenance by the City and subsequently the Golden Gate National Recreation Area and ultimately the transference of the parcel to the National Parks Service.)

11/15/05, RECEIVED AND ASSIGNED to Land Use Committee.

051886 [Public Hearing - Ordinance adopting the Redevelopment Plan Amendment for the South of Market Earthquake Recovery Redevelopment Project Area]

Hearing to consider the possible adoption of an ordinance approving and adopting findings pursuant to the California Environmental Quality Act and a Statement of Overriding Considerations for the Redevelopment Plan Amendment for the South of Market Earthquake Recovery Redevelopment Project Area; amending Ordinance No. 234-90 to adopt the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area; adopting findings that the Redevelopment Plan Amendment and related documents are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; and authorizing official acts in furtherance of this ordinance. (Clerk of the Board)

11/15/05, ASSIGNED to Board of Supervisors.

Motions

051790 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

11/15/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051791 [Legislative Analyst Request - First-time homebuyer prequalification programs] Supervisor Ma

Motion requesting the Legislative Analyst to identify and describe current first-time homebuyer prequalification programs, review the best practices and analyze the feasibility of adopting a program in conjunction with the City and County of San Francisco.

11/15/05, ASSIGNED to Board of Supervisors. Scheduled for Board consideration November 22, 2005. Sponsor requests a very detailed and in-depth report to be delivered as promptly as possible.

051800 [Canceling January 3, 2006, Board of Supervisors meeting] Supervisor Peskin

Motion canceling January 3, 2006, meeting of the Board of Supervisors.

11/15/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

051812 [Settlement of Lawsuit - Theresa Koenig]

Ordinance authorizing settlement of the lawsuit filed by Theresa Koenig against the City and County of San Francisco for $190,000; the lawsuit was filed on November 16, 2001 in San Francisco Superior Court, Case No. 401-374; entitled Theresa Koenig, et al., v. City and County of San Francisco, et al. (City Attorney)

11/4/05, RECEIVED AND ASSIGNED to Rules Committee.

051813 [Settlement of Lawsuit - Tania Tavasieff Foley]

Ordinance authorizing settlement of the lawsuit filed by Tania Tavasieff Foley against the City and County of San Francisco for $75,000; the lawsuit was filed on September 7, 2004 in San Francisco Superior Court, Case No. 434-496; entitled Tania Tavasieff Foley v. City and County of San Francisco, Mortimer John Joyce, Jr., and Stephen Waichi Wong. (City Attorney)

11/4/05, RECEIVED AND ASSIGNED to Rules Committee.

051814 [Settlement of Lawsuit - Aircraft Service International, DHL Express (USA) as successor in interest to Airborne Express ("Airborne"), Atlantic Richfield Co., ChevronTexaco, Shell, Signature

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against Aircraft Service International, DHL Express (USA) as successor in interest to Airborne Express ("Airborne"), Atlantic Richfield Co., ChevronTexaco, Shell, Signature Flight Support, and Unocal, for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

11/4/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

051789 [Prevailing wages for workers on public works/improvement projects, workers doing janitorial services, workers in public off-street parking lots, garages, or auto storage facilities, workers

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; and (5) workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)

(Fiscal impact.)

11/3/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051815 [Additional contract funds to evaluate the integration of buprenorphine treatment into the SFGH AIDS Program]

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH, CBHS), to enter retroactively into an agreement with the University of California San Francisco (UCSF), the primary contractor, and expend additional funds in the amount of $351,939 to provide local and multi-site evaluation of the integration of buprenorphine treatment into the SFGH AIDS Program, and to add one (1.0) new position funded through this agreement; for the period of September 1, 2004 to August 31, 2009. (Public Health Department)

11/1/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Supervisor Mirkarimi requests the City Attorney to draft legislation on the institution of enforceable guidelines for making certain that the civil liberties and constitutional rights of San Franciscans are not abused or compromised as a result of the operation of public "security" surveillance cameras, rather they be permanent or activated on a pilot basis - strongly encourages the solicitation of guidelines from the ACLU and other civil liberty advocates.

From: Supervisor Mirkarimi

To: Director, Metropolitan Transportation Agency

Requesting/Inquiring: Supervisor Mirkarimi requests that the Metropolitan Transportation Agency report on the feasibility of establishing a separate turn light for N-Judah at the intersection of 9th Avenue and Irving Street.

From: Supervisor Mirkarimi

To: City Librarian, San Francisca Public Library

Requesting/Inquiring: Supervisor Mirkarimi requests that the San Francisca Public Library report on the status of repair of the elevator lift at the Park Branch Library on Page Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Supervisor Mirkarimi requests that the Department of Public Warks report on the status of graffiti removal at:

ú Blue Post Office Mailbox at the Northeast corner of Divisadero Street and Haight Street

ú Green Mailbox at Narthwest corner of Webster and Sutter

ú Green Mailbox at the Narthwest corner of Fillmore and McAllister

ú Emergency Call Box on Southeast California Street and Scott

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Supervisor Mirkarimi requests that the Department of Public Works report on the status of the sidewalk repair at 200 Fillmore Street.

From:

Christian Rodriguez - Supervisor Ammiano

Mary Jeanne Forster - Supervisor Ma

David Slocombe - Supervisor Dufty

Carolyn Ross Fichter - Supervisor Peskin

Ken Graddick - Supervisors Maxwell, Dufty, and Mirkarimi

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:54 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 13, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby Jr. by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999-2005 City & County of San Francisco. All rights reserved.

Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.
JAN - 3 2006
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, November 22, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona*

Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Maxwell, moved to approve the October 18, 2005 and October 25, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

AGENDA CHANGES

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

051459 [Parking Restrictions] Supervisor McGoldrick

Ordinance amending the San Francisco Traffic Code by amending Section 3.6.1 to redefine the Downtown Core area, by amending 38.B to prohibit no stopping except for the loading or unloading of passengers or freight in the Downtown Core, by amending 38.B.1 to prohibit no stopping except for the loading or unloading of passengers or freight outside of the Downtown Core, by amending 201.1 to revise the boundaries for Parking Meter Area Number One, and by amending 201.2 to revise the boundaries for Parking Meter Area Number Two.

Enacted Number: 270-05
FINALLY PASSED

051605 [Penalties related to dog licensing] Supervisor Dufty

Ordinance amending Article 1, Section 41.25 of the San Francisco Health Code by increasing penalties imposed for failing to license a dog or obtain a young dog certificate from not less than $25 nor more than $50 to exactly $100; and making environmental findings.

Enacted Number: 266-05
FINALLY PASSED

051606 [Penalties related to vicious and dangerous dogs] Supervisor Dufty

Ordinance amending Article 1, Section 42.2 of the San Francisco Health Code to transfer authority for registration of vicious and dangerous dogs from the Department of Public Health to the Department of Animal Care & Control, increase the vicious and dangerous dog registration fee from $50 to $250, allow for microchipping as an alternative form of permanent identification for dogs, and clarify standards for outdoor enclosures; amending Section 42.3 to adjust hearing deadlines for vicious and dangerous dog hearings; and amending Section 42.4 making a second or subsequent violation within any 12-month period from the initial incident punishable as a misdemeanor, and to allocate dog registration fees and fines collected for violations of Sections 42 through 42.3 to the Department of Animal Care & Control for enforcement of the vicious and dangerous dog program; and making environmental findings.

Enacted Number: 267-05
FINALLY PASSED

051607 [Mandating the spaying and neutering of pit bulls and prohibiting non-permitted breeding of pit bulls] Supervisor Dufty

Ordinance amending Article 1 of the San Francisco Health Code by: adding Section 43, to define pit bull and to create a procedure for determining breed; adding Section 43.1, to require every pit bull in the City and County of San Francisco to be spayed or neutered unless one of the enumerated exceptions apply; adding Section 43.2, to establish fines of $100 to $1000 for failing to spay or neuter, to limit an owner from redeeming an impounded unspayed or unneutered pit bull, to provide a procedure for the Department of Animal Care and Control to spay or neuter a pit bull upon a deposit of $100 with an ultimate fee of the actual expenses incurred, and to set a fee of $60 for Animal Care and Control to transport a pit bull to a private veterinarian for spaying or neutering; adding Section 43.3, to allocate fines to the Department of Animal Care and Control; adding Section

43.4 to provide an operative date; adding Section 44, to provide permit requirements for the breeding and/or transferring ownership or possession of pit bull puppies within the City and County of San Francisco; adding Section 44.1, to create a permit procedure including standards for granting or denying a permit and establish a permit fee of $100; adding Section 44.2, to create a procedure for revoking a permit; adding Section 44.3, to require posting of permit numbers on any offer of sale, trade or adoption and to require permit holders to inform the Department of Animal Care and Control of the number of puppies born and transfer of ownership or possession of puppies; adding Section 44.4, to create fines of $100 to $1000 for failure to comply with permit requirements; adding Section 44.5, to allocate fines to the Department of Animal Care and Control; adding Section 44.6, to define exceptions to the breeding permit posting requirements; adding Section 44.7 to provide an operative date; and making environmental findings.

Enacted Number: 268-05
FINALLY PASSED

Recommendation of the Land Use Committee

050496 [Increasing height exemption for elevator penthouses from 10 feet to 16 feet] Supervisor Alioto-Pier

Ordinance amending the San Francisco Planning Code by amending Section 260 to increase the height exemption for elevator penthouses from 10 feet to 16 feet so long as the penthouse is limited to the footprint of the elevator shaft, to require that the design of all elevator penthouses in Residential districts be consistent with the "Residential Design Guidelines," to allow the Zoning Administrator to, after a public hearing, grant further exemptions for buildings with height limits of more than 65 feet where such an exemption is required to meet state or federal laws or regulations, and after providing neighborhood notice, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 269-05
FINALLY PASSED

Recommendations of the Rules Committee

051586 [Settlement of Lawsuit - Microsoft Corporation, et al.]

Ordinance authorizing settlement of the class-action lawsuit filed by the City and County of San Francisco against Microsoft Corporation for

$1,000,000; the lawsuit was filed on August 27, 2004 in San Francisco Superior Court; entitled City and County of San Francisco, et al., v. Microsoft Corporation, et al.; Microsoft removed the action to federal court and then transferred the action to the United States District Court for the District of Maryland. (City Attorney)

Enacted Number: 272-05
FINALLY PASSED

051811 [Settlement of Lawsuit - Lucia Wong]

Ordinance authorizing settlement of the lawsuit filed by Lucia Wong against the City and County of San Francisco for $440,000; the lawsuit was filed on May 5, 2004 in San Francisco Superior Court, Case No. 431-126 and waiver of San Francisco General Hospital lien. (City Attorney)

Enacted Number: 274-05
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

051872 [Adopting findings related to affirming the exemption determination issued for the Medical Cannabis Dispensary Code Amendments]

Motion adopting findings related to affirming the determination by the Planning Department that the Medical Cannabis Dispensary Code Amendments are exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

(Companion measure to Files 051801, 051802, 051803, 051804, 051747, and 051748.)

Enacted Number: M05-147

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Budget and Finance Committee

051250 [Medical cannabis guidelines and medical cannabis dispensary zoning and permitting] Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.133, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house, and residential-mixed zoning districts, industrial districts, and certain mixed use districts; prohibit new medical cannabis dispensaries in neighborhood commercial cluster (NC-1) districts; permit dispensaries elsewhere subject to restrictions based on a dispensary's proximity to schools, community centers, and facilities providing substance abuse services that are licensed or certified by the State of California or funded by the Department of Public Health; require adequate ventilation in dispensaries; prohibit the sale or distribution of alcohol at dispensaries; require Planning Department notice to interested individuals and properties within 300 feet of proposed dispensaries; require the Planning Commission to hold a discretionary review hearing on each medical cannabis dispensary application; require dispensaries operating as of April 1, 2005 to obtain a permit within 18 months of the effective date of this legislation or cease operations; require dispensaries beginning operation after April 1, 2005 but before the effective date of this legislation to cease operations; require dispensaries seeking to begin operations after the effective date of this legislation to obtain a permit; require a notice that permits for dispensaries are not intended to and do not authorize the violation of State or Federal law; and make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan;

Amending the San Francisco Health Code by adding Sections 3200 through 3221, to: set medical cannabis possession guidelines; require a permit, business license, and business registration certificate for a medical cannabis dispensary; set out the application process for a medical cannabis permit; set out operating requirements for medical cannabis dispensaries including signage and advertising requirements; and set out the administrative process for imposing penalties and/or permit suspension or revocation for violations;

Amending the San Francisco Traffic Code by amending Sections 53 and 132, to create an infraction for double parking in front of a medical cannabis dispensary and set the fine at $100; and,

Amending the San Francisco Business and Tax Regulations Code by amending Section 1, to add Section 1.177, to authorize the Department of Health to issue medical cannabis dispensary permits.

Enacted Number: 275-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051747 [Setting a permit application fee and an annual license fee for medical cannabis dispensaries] Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code to add Section 3204 setting an application fee for a medical cannabis dispensary permit and amending the Business and Tax Regulations Code to add Section 249.17 to provide for an annual license fee for permitted medical cannabis dispensaries.

Enacted Number: 271-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051748 [Medical cannabis dispensary application fee increase and adjustment of application and annual license fees based on changes in CPI] Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code to amend Section 3204 to provide for adjustments of the application fee for medical cannabis dispensary permits based on changes to the consumer price index and amending the Business and Tax Regulations Code to amend Section 249.17 to provide for adjustments in the medical cannabis dispensaries annual license fees based on changes to the consumer price index.

Enacted Number: 273-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use Committee Without Recommendation

051462 [Condominium conversion lottery based on seniority of participation] Supervisors Dufty, Ma, Alioto-Pier

Ordinance amending Subdivision Code Section 1396.1 to prioritize the condominium conversion lottery based on seniority of participation in prior lotteries and making environmental findings.

Supervisor Dufty, seconded by Supervisor McGoldrick, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Alioto-Pier requested to be added as a co-sponsor.

RE-REFERRED to the Land Use Committee by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

From the Land Use Committee Without Recommendation

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

051590 [Designating a portion of Lot 1 in Assessor's Block 1700 (Golden Gate Park), the Music Concourse, as a Landmark under Planning Code Article 10] — Supervisors Mirkarimi, Maxwell, Sandoval, Ammiano, Daly

Ordinance designating a portion of Lot 1 in Assessor's Block 1700 (Golden Gate Park), the Music Concourse, as Landmark No. 249, pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

051285 [Report of Revenue Recovery for Damage to City Property] — Supervisor Ma

Ordinance amending the San Francisco Administrative Code by adding Section 4.26 to require each department to report annually on the value of

damage sustained to City real and personal property under its control and the amount of revenue recovered from those responsible for damaging the property.

Supervisor Ma, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Absent: 1 - Maxwell

Supervisor Maxwell was noted present 2:24 p.m.

Supervisors Dufty and McGoldrick were noted absent at 3:40 p.m.

051456 [Creating a Foster Care Improvement Task Force] Supervisor Maxwell

Ordinance amending the San Francisco Administrative Code by adding Sections 5.300 and 5.305 to establish a Foster Care Improvement Task Force charged with implementing the recommendations of the Disproportionality Project, and to examine and address the overrepresentation of African American children in foster care.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Absent: 2 - Dufty, McGoldrick

051766 [Confirming the reappointment of Ramon Romero to the San Francisco Redevelopment Agency] Mayor

Resolution confirming the reappointment of Ramon Romero, term ending September 3, 2009, to the San Francisco Redevelopment Agency.

Enacted Number: 822-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, McGoldrick

051722 [Establishing a Select Committee on Ending Gun and Gang Violence Pursuant to Board of Supervisors Rules of Order, Rule 5.26] Supervisors Maxwell, Mirkarimi, Ma

Motion to establish a Select Committee on Ending Gun and Gang Violence pursuant to Board of Supervisors Rules of Order, Rule 5.26.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: M05-146

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Ma, seconded by Supervisor Maxwell, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ma introduced, welcomed and presented a Certificate of Honor to members of the CalWIN IT Team from the Department of Human Services.

SPECIAL ORDER 4:00 P.M.

051886 [Public Hearing - Ordinance adopting the Redevelopment Plan Amendment for the South of Market Earthquake Recovery Redevelopment Project Area]

Hearing to consider the possible adoption of an ordinance approving and adopting findings pursuant to the California Environmental Quality Act and a Statement of Overriding Considerations for the Redevelopment Plan Amendment for the South of Market Earthquake Recovery Redevelopment Project Area; amending Ordinance No. 234-90 to adopt the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area; adopting findings that the Redevelopment Plan Amendment and related documents are consistent with the City's General Plan and Eight Priority

Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; and authorizing official acts in furtherance of this ordinance. (Clerk of the Board)

Marcia Rosen, Executive Director, Redevelopment Agency, Mike Grisso, Redevelopment Agency presented a presentation on the South of Market Redevelopment Agency Plan.

The President inquired as to whether or not any member of the public wished to address the Board members.

Mrs. Genie Bowie, concerned about not being included in the process

Antoinetta III, support of proposed plan, Karl Olson, attorney for the Chronicle, opposed to the proposed plan, Richard Strong, expressed concern with the project, Henry Karnilowicz, support of the proposed plan, Gerry Gunn; expressed concern for lack of notification to homeowners; Jeoflin D. Roh, support of proposed plan, Male speaker, support of proposed plan, Brian Egg, concern with property owner participation and notification, Bill Wang, concerned with proposed project, Wilma Parker, Marty Cerles, support of proposed plan;

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Recommendation of the Budget and Finance Committee

050871 [Adopting the Redevelopment Plan Amendment for the South of Market Earthquake Recovery Redevelopment Project Area] Mayor, Supervisor Daly

Ordinance approving and adopting findings pursuant to the California Environmental Quality Act and a Statement of Overriding Considerations for the Redevelopment Plan Amendment for the South of Market Earthquake Recovery Redevelopment Project Area; amending Ordinance No. 234-90 to adopt the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area; adopting findings that the Redevelopment Plan Amendment and related documents are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; and authorizing official acts in furtherance of this ordinance.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

051740 [Public Hearing - Appeal of Final Mitigated Negative Declaration for 680 Illinois Street/2075 Third Street]

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on September 22, 2005, approving the Final Mitigated Negative Declaration (Case No. 2004.0546E), for the proposed demolition of two concrete warehouse/garage structures at 680 Illinois Street and 550 18th Street and construct one 50-foot tall building consisting of 35 dwelling units, 7,000 square feet of retail/commercial space, and about 41 off-street parking spaces. The project fronts on Illinois, Third and 18th Streets. The project would include a total of 74,012 square feet in five-stories, including four commercial spaces totalling 7,000-gsf on the ground floor - two facing Illinois Street, and one facing 18th and Third Streets. The 50,966-sf residential uses would have open space provided through a second story deck. The 10,580-sf parking garage would be at the ground floor and accessed from Illinois Street. The two warehouse structures located at 680 Illinois Street (or 2075 Third Street) and 550 18th Street are included in the Central Waterfront Cultural Resource Survey, the M-2 Zoning district and a 50-X height and bulk district, Assessors Block 3994, Lots 3 and 7. (Appellant: Mark R. Wolfe, Attorney for Patrick Mulligan, Financial Secretary, Carpenters Union Local 22 and Tom McCarthy, member, Carpenters Union Local 22.)

(Filed 10/19/05; companion measure to Files 051741, 051742, 051743; District 10.)

The President inquired as to whether or not any member of the public wished to address the Board members.

Janet Carpinelli, Dogpatch Neighborhood Association, Appellant

Sue Hestor, support of appellant

Larry Badiner, Planning Department Representative

John Sanger, Attorney for the project sponsor informed the Board that an agreement has been made and requested the Board to deny the appeal.

Bill Schwartz, support of project sponsor

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051741 [Affirm adoption of the final negative declaration for 680 Illinois Street/2075 Third Street]

Motion affirming Planning Commission adoption of the final negative declaration for 680 Illinois Street/2075 Third Street. (Clerk of the Board)

Enacted Number: M05-145

Supervisor Maxwell, seconded by Supervisor Ma, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

051742 [Reversing adoption of the final negative declaration for 680 Illinois Street/2075 Third Street]

Motion reversing the Planning Commission adoption of the final negative declaration for 680 Illinois Street/2075 Third Street. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Ma, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

051743 [Preparation of findings to reverse adoption of the final negative declaration for 680 Illinois Street/2075 Third Street]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final negative declaration for 680 Illinois Street/2075 Third Street. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Ma, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

SPECIAL ORDER 4:00 P.M.

051222 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 899 North Point Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Sections 15303(b) and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3). The proposed project would involve the demolition of a vacant gas station building, approximately 1,650 square feet in size, and construction of a four-story, five-unit residential building. The proposed project would provide seven off-street parking spaces on the ground floor. Entrance and access to the residential units would be from Larkin Street and vehicular entrance and access would be from North Point Street. The project site at 899 North Point Street (Assessor's Block 0026, Lot 020) is approximately 5,469 square feet in size and located on the southeastern corner of North Point and Larkin Streets in the Russian Hill neighborhood on the block bounded by Larkin, North Point, Hyde and Bay Streets. The project site is zoned RH-3 (Residential, House, Three-Family) and is within a 40-X height and bulk district. The project site is also located in the Waterfront Special Use District No. 2, per Section 240.2 of the San Francisco Planning Code. (Appellant: Stephen M. Williams.)

(Filed June 17, 2005; companion measure to Files 051223, 051224, 051225; District 2.)

The President inquired as to whether or not any member of the public wished to address the Board members.

There were none.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

Supervisors Daly and Maxwell were noted absent at 5:22 p.m.

051223 [Affirming the categorical exemption issued for 899 North Point Street]

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-144

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, Maxwell

051224 [Disapproving the categorical exemption issued for 899 North Point Street]

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, Maxwell

051225 [Preparation of findings related to the categorical exemption issued for 899 North Point Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-138

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, Maxwell

SPECIAL ORDER 4:30 P.M.

Supervisor Ammiano was noted absent at 5:35 p.m.

Supervisor McGoldrick was noted absent at 5:39 p.m.

Supervisor McGoldrick was noted present at 5:42 p.m.

Supervisor Daly was noted present at 5:45 p.m.

Supervisor Sandoval was noted absent at 6:55 p.m.

051492 [Public Hearing - Conditional Use Appeal for 1353 -1355 Bush Street ("MUSIC CITY")]

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 17063 dated July 14, 2005 authorizing a conditional use authorization pursuant to Application No. 2004.0130CV subject to certain conditions, for a use size in excess of 3,000 square feet, for a music training facility ("MUSIC CITY"), with a full-service restaurant and bar, with live entertainment, also requiring a variance for off-street parking and usable open space (pursuant to conversion of "Tourist" hotel rooms to "Residential" hotel rooms), in the Polk Street Neighborhood Commercial District and a 65-A Height and Bulk District, on property located at 1353-1355 Bush Street, south side between Larkin and Polk Streets, with additional frontage on Fern Street; Lot 13, Assessor's Block 669. (Appellant: Robert Garcia, on behalf of Save our Streets).

(Filed August 15, 2005; companion measure to Files 041493, 041494, 041495; District 3.)

The President inquired as to whether or not any member of the public wished to address the Board members.

Robert Garcia, Save Our Streets, Appellant

David Fong, Architect

Robert Edmonson, On Lok Association; support of appellant

Thomas Ferriole, support of appellant

Daniel Markarian, Save Our Streets; support of appellant

Eleanor Errante, On Lok Association; support of appellant

Anne Lawrence, On Lok Association; support of appellant

Wanda Chin, On Lok Association; support of appellant

Sue Wong, On Lok Association; support of appellant

Christina Chan, On Lok Association; support of appellant

Susanna Chan, On Lok Association; support of appellant

Dwight Munson, Halsted Funeral Home; support of appellant

Greg Nikitas, Planning Department reviewed the Planning Department's recommendation.

Scott Embledge, Attorney for Project Sponsor, Rudy Colombini

Robert Alvarado, Charles Salter Asssociates

Randy Shaw,Tenderloin Housing; support of project sponsor

Bill Thompson, Manager, Jefferson Airplane; support of appellant

Lee Housekeeper; SF Stories; support of project sponsor

Theo McKinney; support of project sponsor

Keith Bollinger; support of project sponsor

David Brown; support of project sponsor

Peggy Dohrman, Loews Theaters; support of project sponsor

Gordon Grislan; support of project sponsor

Jon Hendricks; support of project sponsor

Sandra Smith; support of project sponsor

Alex Clemens; support of project of sponsor

Reverend Roy Richardson; support of project sponsor

Robert Garcia, Appellant, rebuttal period.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051493 [Approving Planning Commission decision related to Conditional Use Appeal for 1353-1355 Bush Street]

Motion approving decision of the Planning Commission by its Motion No. 17063, approving Conditional Use Application 2004.0130CV on property located at 1353-1355 Bush Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Enacted Number: M05-143

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

051494 [Disapproving Planning Commission decision related to Conditional Use Appeal for 1353-1355 Bush Street]

Motion disapproving decision of the Planning Commission by its Motion No. 17063, approving Conditional Use Application 2004.0130CV on property located at 1353-1355 Bush Street. (Clerk of the Board)

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

051495 [Preparation of findings related to the Conditional Use Appeal for 1353-1355 Bush Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2004.0130CV on property located at 1353-1355 Bush Street, for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

SPECIAL ORDER 5:00 P.M.

051780 [Public Hearing - Appeal of Tentative Parcel Map for 554 Valley Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 20, 2005, approving the Tentative Parcel Map for a 2-lot subdivision project located at 554 Valley Street, Lot 081 in Assessor's Block No. 6611. (Appellant: Betty Jean Wilkinson).

(Filed October 28, 2005; companion measure to Files 051781, 051782, 051783; District 8.)

The President inquired as to whether or not any member of the public wished to address the Board members.

Betty Jean Wilkinson, Appellant requested a continuance.

There was no motion made to continue this matter.

Betty Jean Wilkinson, Appellant

Bruce Storrs, Department of Public Works and Barbara Moy, Dan Sider, Planning Department and John Malamut, Deputy City Attorney reviewed with the Board Members DPW's recommendation and permit process.

John Sanger, Attorney for project sponsor.

Betty Jean Wilkinson, Appellant rebuttal period.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051781 [Approving decision of the Director of Public Works and approving the Tentative Parcel Map for 554 Valley Street]

Motion approving the decision of the Director of Public Works, approving the Tentative Parcel Map for a 2-lot subdivision project located at 554 Valley Street, Lot 081 in Assessor's Block 6611, and making environmental and General Plan findings. (Clerk of the Board)

Enacted Number: M05-142

Supervisor Dufty, seconded by Supervisor McGoldrick, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Ammiano, Sandoval

051782 [Disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for 554 Valley Street]

Motion disapproving the decision of the Director of Public Works and disapproving the Tentative Parcel Map for a 2-lot subdivision project located at 554 Valley Street, Lot 081 in Assessor's Block 6611. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor McGoldrick, moved that this

Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Ammiano, Sandoval

051783 [Preparation of findings related to the Tentative Parcel Map appeal for 554 Valley Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 2-lot subdivision located at 554 Valley Street, Lot 081 in Assessor's Block 6611. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Ammiano, Sandoval

SPECIAL ORDER 5:30 P.M.

051784 [Public Hearing - Conditional Use Appeal for 80 West Portal Avenue]

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 17117 dated October 6, 2005 (Case No. 2005.0698C), approving, subject to certain conditions, a conditional use authorization pursuant to Planning Code Section 729.53 to establish mortgage brokerage as a business or professional service (Guarantee Mortgage), in a vacant ground floor commercial space approximately 2,318 gross square feet in the West Portal Avenue Neighborhood Commercial District and 26-X Height and Bulk District, on property located at 80 West Portal Avenue, Lot 008, in Assessor's Block 2931. (Appellant: Kenneth D. Kruszka, representing the Greater West Portal Neighborhood Association).

(Filed November 1, 2005; companion measure to Files 051784, 051785, 051786, 051787; Disctrict 7.)

Continued to December 6, 2005

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Ammiano, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051785 [Approving Planning Commission decision related to Conditional Use Appeal for 80 West Portal Avenue]

Motion approving decision of the Planning Commission by its Motion No. 17117, approving Conditional Use Application 2005.0698C on property located at 80 West Portal Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to December 6, 2005

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Ammiano, Sandoval

051786 [Disapproving Planning Commission decision related to Conditional Use Appeal for 80 West Portal Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 17117, approving Conditional Use Application 2005.0698C on property located at 80 West Portal Avenue. (Clerk of the Board)

Continued to December 6, 2005

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Ammiano, Sandoval

051787 [Preparation of findings related to the Conditional Use Appeal for 80 West Portal Avenue]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2005.0698C on property located at 80 West Portal Avenue, for action by the Board at its next meeting. (Clerk of the Board)

Continued to December 6, 2005

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Ammiano, Sandoval

COMMITTEE REPORTS

051823 [Multifamily Housing Revenue Bonds - Alabama Street Family/Senior Housing] Supervisor Daly

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $33,000,000 for Alabama Street Family/Senior Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $33,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Enacted Number: 817-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, McGoldrick

051887 [Amendments to Administrative Code Section 10B] Supervisors Peskin, Mirkarimi

Ordinance amending section 10B.2 of the Administrative Code to eliminate the provisions allowing the Mayor to waive payment for services under this chapter, and amending section 10B.20 of the Administrative Code to provide that any person, firm or corporation who receives a street closure permit while being in arrears more than 90 days for payment required shall not be eligible for a future permit.

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved to suspend the Rules of Order of the Board of Supervisors.

Motion to suspend the Rules of Order of the Board of Supervisors passed without objection.

Rubin David Goodman; showed interest in the youth in San Francisco

Abdullah Megaheed; expressed concern with the Iraq War

Walter Paulsen; showed interest with general issues

Yolando Consulto; expressed concern with general assistance workers payment and in support of the Living Wage Ordinance

Bruce Allison, support of Living Wage Ordinance

Rich Strong; expressed concern with the census taking process

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

051791 [Legislative Analyst Request - First-time homebuyer prequalification programs] Supervisor Ma

Motion requesting the Legislative Analyst to identify and describe current first-time homebuyer prequalification programs, review the best practices and analyze the feasibility of adopting a program in conjunction with the City and County of San Francisco.

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Ammiano, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051892 [Bill O'Reilly] Supervisors Daly, Maxwell, Mirkarimi, Peskin, Ammiano

Resolution urging Fox News Corporation and Westwood One to terminate the employment of news show host Bill O'Reilly for speech condoning acts of terrorism.

Enacted Number: 818-05
ADOPTED

051893 [Urging Federal Communications Commission to closely examine KNEW 910 AM license renewal application] Supervisor Daly

Resolution urging the Federal Communications Commission to closely examine radio station KNEW 910 AM's license renewal application in light of a public petition from Media Alliance, the Youth Media Council and Accion Latina to deny KNEW's application for breach of "the public interest".

Enacted Number: 819-05
ADOPTED

051894 [Hepatitis Screening Month] Supervisors Ma, Dufty

Resolution declaring November 2005 to be " Hepatitis Screening Month" in the City and County of San Francisco.

Enacted Number: 820-05
ADOPTED

051895 [Commending Congresswoman Nancy Pelosi and San Francisco Businessman Lou Giraudo] Supervisors Peskin, Elsbernd, Alioto-Pier, McGoldrick, Ma

Resolution commending Congresswoman Nancy Pelosi and San Francisco businessman Lou Giraudo for their roles in the resolving the labor dispute between SEIU United Healthcare Workers - West and the California Pacific Medical Center (CPMC) in San Francisco and St. Luke's.

Supervisors Elsbernd, Alioto-Pier, McGoldrick and Ma requested to be added as co-sponsors.

Enacted Number: 821-05
ADOPTED

051790 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-141

APPROVED

051867 [Final Map for a 20 Unit Residential Condominium Project - 900 Gilman Avenue]

Motion approving Final Map of 900 Gilman Avenue, a Residential Condominium Project, being a subdivision of Lot 019 in Assessor's Block No. 4936, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,721; District 10.)

Enacted Number: M05-140

APPROVED

051868 [Final Map for a 5 Unit Commercial/Residential Condominium Project - 5700 Mission Street]

Motion approving Final Map of 5700 Mission Street, a Commercial/Residential Condominium Project, being a subdivision of Lot 001 in Assessor's Block No. 7109, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,722; District 11.)

Enacted Number: M05-139

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor Ammianno requested that this matter be severed so that it could be considered separately

051891 [Bartlett Garage Contract] Supervisor Ammiano

Resolution urging the Board of Directors of the San Francisco Metropolitan Transportation Agency to delay finalizing the Bartlett Garage contract and to consider dividing the contract between Mission Economic Development Association, a Mission District-based non-profit organization, and Pacific Park Management.

Supervisor Ammiano, seconded by Supervisor Daly, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051901 [Requiring City departments to bill private parties who contract for additional police, street-cleaning, and traffic control services within 30 days, and to extend the deadline for payment] Supervisor Alioto-Pier

Ordinance amending the San Francisco Administrative Code by amending Sections 10B.2, 10B.12, and 10B.17, to require City departments to submit a bill within 30 days to private parties who contract for additional police, street-cleaning, and traffic control services, and to extend the deadline for payment from 10 to 14 days.

11/22/05, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 12/22/2005.

051902 [Aggressive union busting tactics in San Francisco] Supervisor McGoldrick

Hearing on the aggressive union busting tactics used during recent labor struggles in San Francisco and the San Francisco region.

11/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051903 [Paratransit Reimbursement - Taxi Meter Rates] Supervisor Alioto-Pier

Ordinance amending Article 16, Section 1137.5 of the San Francisco Police Code to extend the taxi meter rate offset for the paratrasit program to December 31, 2007.

11/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051907 [Minimum Compensation Ordinance] Supervisors Ammiano, McGoldrick, Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending Sections 12P.2, 12P.3, 12P.4, 12P.5, 12P.6, 12P.7 and 12P.8, and by adding Sections 12P.5.1, 12P.6.1 and 12P.6.2, to amend the Minimum Compensation Ordinance by making both substantive and clarifying changes with respect to: the obligations imposed on Contractors; notification, investigation, auditing, inspection, enforcement and settlement procedures; the withholding of contract payments; provisions relating to waivers; certain definitions, including the definition of Covered Employees; an increase in the hourly wage rate for all employees; the assessment of

liquidated damages; and the process for determining whether a Contractor has violated the Ordinance and for the administrative appeal of such determinations.

11/22/05, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/22/2005.

051908 [Health Care Accountability Ordinance] Supervisors Ammiano, McGoldrick

Ordinance amending the San Francisco Administrative Code by amending Sections 12Q.2.1, 12Q.2.2, 12Q.2.9, 12Q.3, 12Q.4, 12Q.5 and 12Q.6, and adding Sections 12Q.5.1 and 12Q.5.2, to: change the requirements of the Health Care Accountability Ordinance with respect to health benefit plans, exemptions for certain categories of employees and agreements, and the payment rates due from employers; authorize the Health Commission to increase the payment rates; authorize the withholding of contract payments; make both substantive and clarifying changes with respect to obligations imposed on Contracting Parties for notification, investigation, auditing, inspection, enforcement, and settlement procedures; revise procedures for the assessment of liquidated damages; establish a process for determining violations and for the administrative appeal of such determinations; and ratify certain administrative actions.

11/22/05, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/22/2005.

051916 [Increasing liquidated damages and civil penalty provisions from up to $2,500.00 to up to $5,000.00 for violations of the First Source Hiring Program] Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending sections 83.10 and 83.12 of the First Source Hiring Program to increase the liquidated damages and civil penalty provisions from up to $2,500.00 to up to $5,000.00 for every new hire for an entry level position improperly withheld from the first source hiring process.

11/22/05, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/22/2005.

051917 [Repealing Community Court Administration Fee] Supervisor Daly

Draft ordinance repealing Administrative Code Sections 10.100-95 and 10.183 to authorize the District Attorney to collect Administrative Fees from persons who are determined by the District Attorney to be eligible for the community courts program.

11/22/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051919 [Worker Health Care Security Ordinance] Supervisor Ammiano

Ordinance amending the San Francisco Administrative Code by adding Sections 14.1 through 14.10, to require that employers operating within San Francisco make health expenditures on behalf of employees, set penalties and provide for enforcement, and creating a health security task force to analyze among other related issues, the desirability and feasibility of imposing a fee on employers to provide health care for employees.

11/22/05, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/22/2005.

051920 [Granting parking privileges on Baker Street for official vehicles of the Russian Consulate] Supervisor Alioto-Pier

Ordinance amending Section 32.6.30 of the San Francisco Traffic Code to grant parking privileges for official vehicles of the Russian Consulate along fifty three feet of the east side of Baker Street near the corner of Green Street.

11/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051921 [Planning Code - Protection of significan trees in the public right-of-way and on private property within Telegraph Hill Historic District] Supervisor Daly

Draft Ordinance amending Planning Code by amending Appendix G, Article 10, Section 6 and Section 7(c)(2) to add certain criteria for the removal or significant alteration of trees in public rights-of-way or on privately-owned property.

11/22/05, RECEIVED AND ASSIGNED to Land Use Committee.

051924 [Establishing Maximum Work Hours For General Assistance Programs] Supervisors McGoldrick, Ammiano

Ordinance amending Chapter 20, Article VII, to add Section 20.58.6 to provide that the maximum number of hours the Department may require General Assistance recipients to work shall be calculated by dividing the Maximum Monthly Assistance Grant under Section 20.57 of this Chapter by the hourly wage rate established under Section 12P.3(b)(3) of the Administrative Code and by amending Chapter 20, Article VIII, Section 20.77.6 to provide that the maximum number of hours of activities the Department of Human Services may require of participants in the Personal Assisted Employment Service Program shall be calculated by dividing the Maximum Monthly Assistance Grant by the Minimum Compensation Wage Rate.

11/22/05, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/22/2005.

050494 [Moratorium on Condominium Conversions] Supervisor Daly

Ordinance amending Section 1396 of the Subdivision Code to impose a moratorium on condominium conversions others than those performed by a qualifying community land trust until the City and County of San Francisco studies the impact of "tenancy in common" condominium conversions on the City's rental housing stock and the impact of such conversions on the policies of the San Francisco Subdivision Code; and making environmental findings.

3/22/05, RECEIVED AND ASSIGNED to Land Use Committee.

4/5/05, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

4/5/05, ASSIGNED to Land Use Committee.

4/12/05, REFERRED TO DEPARTMENT. Referred to Department of Public Works for review and comments.

11/1/05, FILED PURSUANT TO RULE 5.37.

11/22/05, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Daly

requested this matter be reactivated.

11/22/05, ASSIGNED to Land Use Committee.

051685 [Increasing the requirements of the Inclusionary Affordable Housing Program.] Supervisor Daly

Ordinance amending Planning Code Sections 315.1, 315.2, 315.4 and 315.5 related to the Inclusionary Affordable Housing Program to increase the percentage of affordable housing required for all residential developments of 10 units or more, and to adjust the way low and median income is calculated from a method using Metropolitan Statistical Area calculations to City and County of San Francisco calculations; and making findings including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/11/05, RECEIVED AND ASSIGNED to Land Use Committee.

10/14/05, REFERRED TO DEPARTMENT. Referred to City Attorney's Office to be approved as to form.

11/22/05, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance approved as to form, bearing new title.

11/22/05, ASSIGNED to Land Use Committee.

Resolutions

051909 [Grant for mosquito control to reduce the threat of West Nile virus] Supervisors Ma, Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $175,426.20 from the California Department of Health Services (CDHS) for mosquito control to mitigate the threat of West Nile virus transmission, and to enter into an agreement for the use of these funds; for the period of July 1, 2005 to June 30, 2006.

11/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be heard at the December 5, 2005 meeting.

051910 [Grant to develop training resources and a support network for injury prevention professionals in California, Kids' Plates initiative] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of $55,000 from the San Diego State University Research Foundation (SDSU) for the injury prevention leadership initiative, Kids' Plates, and to enter into an agreement for the use of these funds; for the period of August 15, 2005, to June 30, 2007.

11/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051911 [Approve a no-cost extension of grant funds from the prior (third) year of the grant, extend the term of the grant, and change grant-funded Supervisor Dufty

positions]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to approve a no-cost extension of grant funds from the Substance Abuse and Mental Health Services Administration (SAMHSA) in the amount of $309,049 in funds left over from the prior grant year of September 30, 2004 to September 29, 2005, extending the term from September 29, 2005, to September 29, 2006, and changing grant-funded positions; for the new period of September 30, 2005, to September 29, 2006.

11/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared at the December 5, 2005 meeting.

051912 [Grant to establish an enhanced STD Surveillance Network to better understand trends in gonorrhea and other sexually transmitted diseases and develop appropriate interventions in — Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of $80,000 from the Centers for Disease Control and Prevention (CDCP), to establish an enhanced STD Surveillance Network, to enter into an agreement for the use of these funds, and to add one 1.0 new position funded through this grant; for the period of September 30, 2005, to September 29, 2006.

11/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared at the December 5, 2005 meeting

051913 [Grant of Regional Funds - Municipal Transportation Agency] — Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend $11,283,000 of Regional Measure 2 funds for the Automatic Vehicle Location System project.

11/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051914 [Grant to improve pedestrian safety in Bayview Hunters Point San Francisco] — Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept and expend a new grant in the amount of $157,541 from the California Department of Transportation (CDOT) to improve pedestrian safety in Bayview Hunters Point, San Francisco, and to enter into an agreement for the use of these funds; for the period of January 1, 2006, to June 30, 2007.

11/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared at the December 5, 2005 meeting.

051915 [Rescind Tow-away on Columbus Avenue] — Supervisor Peskin

Resolution rescinding parking regulations on the 200 Block of Columbus Avenue.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY -

RESCIND
Columbus Avenue, east side, between Pacific Avenue and Broadway
11/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051918 [SoMa Senior Community Committee for Livable Streets] — Supervisor Daly

Resolution urging the creation of the SoMa Senior Community Committee for Livable Streets.
11/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051922 [Grant for the Let's Be Healthy! Project to promote healthy living and prevent and manage chronic health conditions among Russian-speaking newcomers in San Francisco] — Supervisors McGoldrick, Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new four year grant, in the amount of $18,813 for the first year, from Bay Area Community Resources (BACR), for the Let's Be Healthy! Project and to enter into an agreement for the use of these funds; for the period of October 1, 2005, to June 30, 2006.
11/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051923 [Authorization for Loan from SFCTA] — Supervisor McGoldrick

Resolution authorizing the City and County of San Francisco, through its Municipal Transportation Agency, to borrow $22.57 million of Proposition K Sales Tax Funds from the San Francisco County Transportation Authority to allow the Third Street Light Rail Transit - Muni Metro East Maintenance and Operations Facility Project to proceed in advance of receiving anticipated state grant funds.
11/22/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051925 [Resolution initiating designation to amend the Telegraph Hill Historic District] — Supervisor Alioto-Pier

Resolution initiating designation to amend the Telegraph Hill Historic District and to include additional properties in this Historic District pursuant to sections 1004 and 1004.1 of the Planning Code.
11/22/05, RECEIVED AND ASSIGNED to Land Use Committee.

051926 [Urging Low-Income Heating Oil Assistance Program] — Supervisors Peskin, Dufty, Daly

Resolution commending Citgo Petroleum Group for its plan to provide low-income communities in the United States of America with discounted home heating oil, inviting Citgo to engage in a similar program with San Francisco's low-income residents, and urging other major oil companies to invest a portion of record profits in low-income assistance programs.
11/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051927 [Accept-Expend State Grant - Police — Supervisor Alioto-Pier

Department]

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $45,000.00 (Forty-Five Thousand dollars) from the California Department of Boating and Waterways to purchase miscellaneous boating equipment for use in boating safety and law enforcement activities.

11/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051928 [Bernal Heights preschool] Supervisor Ammiano

Resolution urging that the Bernal Preschool return to the Bernal Branch Library upon completion of the Branch Library Renovation.

11/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051929 [Proclaiming that the San Francisco Lesbian/Gay Freedom Band as the Official Band of the City and County of San Francisco] Supervisors Dufty, Ammiano

Resolution proclaiming that the San Francisco Lesbian/Gay Freedom Band as the Official Band of the City and County of San Francisco.

11/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051930 [Declaring December 10th, 2005 as Dance-Along Nutcracker Day in the City and County of San Francisco] Supervisors Dufty, Ammiano

Resolution declaring December 10th, 2005 as Dance-Along Nutcracker Day in the City and County of San Francisco.

11/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051931 [National Family Week] Supervisor Ma

Resolution declaring November 20 - 26, 2005 as "National Family Week" in the City and County of San Francisco.

11/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051932 [Supporting the Department on the Status of Women proposal for a Domestic Violence Cross-Training Institute] Supervisor Maxwell

Resolution supporting the Department on the Status of Women's proposal to the Blue Shield Foundation for funding to support the development of a Domestic Violence Cross-Training Institute.

11/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051933 [Commending Thrasher Magazine on their 25th Anniversary] Supervisor Mirkarimi

Resolution commending Thrasher Magazine on the occasion of their 25th anniversary.

11/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051934 [Grant to improve pedestrian safety awareness in San Francisco] Supervisor Mirkarimi

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept and expend a new grant in the amount of $337,725 from the California Office of Traffic Safety (COTS) to improve pedestrian safety awareness in San Francisco, and to enter into an agreement for the use of these funds; for the period of October 1, 2005, to December 31, 2007.

11/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

051904 [New Conservatory Theatre] Supervisors Ammiano, Dufty

Hearing to inquire into the current status of the New Conservatory Theatre, a San Francisco-based community non-profit theatre company located at 25 Van Ness Avenue.

11/22/05, RECEIVED AND ASSIGNED to Land Use Committee.

Motions

051900 [Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

11/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

051871 [Settlement of Lawsuit - Kristen Odlaug v. City and County of San and Robert Palu]

Ordinance authorizing settlement of the lawsuit filed by plaintiff Kristen Odlaug against the City and County of San Francisco for payment of $400,000, including all damages, attorneys' fees and costs; the lawsuit was filed on April 13, 2004, in San Francisco Superior Court, Case No. 430-509, entitled Kristen Odlaug v. City and County of San and Robert Palu.

11/14/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

051840 [Contract funds from a new primary contractor to evaluate the impact of a resource center for drug users, Year 3]

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH,CBHS), to enter retroactively into Year 3 of an agreement with a new primary contractor, the Research Triangle Institute (RTI), and expend funds in the amount of $6,004 to provide research evaluation services; for the period of July 1, 2005 to December 31, 2005. (Public Works Department)

11/9/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051869 [Approval of Port Lease with Miller Kelly Architects, Inc. at the Roundhouse One Building located at 1500 Sansome Street]

Resolution approving Lease between the San Francisco Port Commission and Miller Kelly Architects, Inc., a California corporation, dba MK Think for the lease of the Roundhouse One Building located at 150 Sansome Street, for a term of ten (10) years and one hundred eighty (180) days with one (1) option to renew for an additional five (5) years. (Port)

11/10/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from:

ú Green electric box at Judah and 12th Avenue

ú Green mailbox and green electric box at Judah and 13th Avenue

ú Green Post box at 10th and Irving

ú Mailbox at Rivoli and Stanyan

ú Mailboxes at southwest corner of Laguna and Hayes

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of the repair of a pothole at 1423 Irving Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from:

ú Stop sign at northeast corner of 17th and Stanyan

ú Children Playing sign at the Southeast corner of Stanyan and Rivoli

ú No Parking and Permit Parking signs on Stanyan between Rivoli and Alma

ú No Parking and Permit Parking signs at 228 Parnassus

ú Stop Sign at Irving and 17th Street

ú Grove street sign at the northwest corner of Grove and Laguna

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the Department of Motor Vehicles building and sign at the intersection of Fell Street and Baker Street.

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation to extend condominium conversion priority to applicants who have extended the following protections to tenants, (1) tenants who purchase some or all of the units, (2) tenants who are offered the first

In Memoriams

Steven Tierney - Supervisor Dufty

Margaret "Peggy" McMiller - Supervisor Maxwell

Wayne Bernard Jr. - Supervisor Mirkarimi

Dante Benedetti - Supervisor Peskin

ADJOURNMENT

There being no further business the Board adjourned at the hour of 7:08 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 13, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall.
Accessible MUNI lines serving this location are: #47 Van Ness, and the #71

Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby Jr. by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999-2005 City & County of San Francisco. All rights reserved.

Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.
JAN 3 1 2006
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, December 6, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick,*

Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisors Ma, Maxwell, McGoldrick and Sandoval were noted absent.

There was a quorum.

Supervisors Ma and McGoldrick were noted present at 2:04 p.m.

Supervisor Maxwell was noted present at 2:05 p.m.

Supervisor Sandoval was noted present at 2:07 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to approve November 1, 2005 and November 8, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

051677 [Grant of Federal Funds - Municipal Transportation Agency - $65,840,680] Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to Accept and Expend $65,840,680 of Federal Formula Section 5307 Surface Transportation Program and Congestion Mitigation for Air Quality Capital Assistance for various San Francisco capital projects and activities, excluding Administrative Overhead Costs.

(Fiscal impact.)

Enacted Number: 825-05

ADOPTED

051678 [Grant of Regional Funds - Municipal Transportation Agency - $2,945,658] Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend $2,945,658 of Assembly Bill 664 Funds for San Francisco Municipal Railway Capital Projects, excluding administrative overhead costs.

(Fiscal impact.)

Enacted Number: 842-05

ADOPTED

051679 [Grant of Federal Funds - Municipal Transportation Agency - $23,305,667] Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend $23,305,667 Federal Formula Section 5309 Fixed Guideway capital projects and activities, excluding administrative overhead costs.

(Fiscal impact.)

Enacted Number: 843-05

ADOPTED

051695 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ) - $100,000] Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $100,000 from the Office of Justice Programs (OJP), Department of Justice for the purpose of supporting activities to reduce the number of violent and drug-related crimes in the designated Weed and Seed area within the Bayview Hunters Point neighborhood.

Enacted Number: 844-05

ADOPTED

051696 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ) - $653,368] Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $653,368 from the Bureau of Justice Assistance (BJA), Office of Justice Programs (OJP), Department of Justice for the purpose of supporting activities to reduce the drug problem and violent activity associated with drug activity in San Francisco.

Enacted Number: 845-05
ADOPTED

051810 [Lease of Real Property at 1390 Market Street]
Resolution authorizing the renewal and expansion of a lease at 1390 Market Street for the Department of Children, Youth and their Families. (Real Estate Department)

Enacted Number: 840-05
ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

051232 [Liquor License, 566 Minnesota Street]
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Daniel Kahn, for The Bargain Bank located at 566 Minnesota Street, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 839-05
ADOPTED

051760 [Liquor License, 56 Belden Street]
Resolution determining that the issuance of a Type 48 on-sale general license to Thierry Collomb, for Voda LLC located at 56 Belden Street, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 829-05
ADOPTED

051815 [Additional contract funds to evaluate the integration of buprenorphine treatment into the SFGH AIDS Program]
Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH, CBHS), to enter retroactively

into an agreement with the University of California San Francisco (UCSF), the primary contractor, and expend additional funds in the amount of $351,939 to provide local and multi-site evaluation of the integration of buprenorphine treatment into the SFGH AIDS Program, and to add one (1.0) new position funded through this agreement; for the period of September 1, 2004 to August 31, 2009. (Public Health Department)

Enacted Number: 830-05
ADOPTED

051839 [Grant to improve child passenger safety in San Francisco - Department of Public Health] Supervisor Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept and expend a new grant in the amount of $563,195 from the California Office of Traffic Safety (COTS) to improve child passenger safety in San Francisco, to enter into an agreement for the use of these funds, and to add one (1.0) position funded through this grant agreement; for the period of October 1, 2005, to December 31, 2007.

Enacted Number: 823-05
ADOPTED

051840 [Contract funds from a new primary contractor to evaluate the impact of a resource center for drug users, Year 3]

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH,CBHS), to enter retroactively into Year 3 of an agreement with a new primary contractor, the Research Triangle Institute (RTI), and expend funds in the amount of $6,004 to provide research evaluation services; for the period of July 1, 2005 to December 31, 2005. (Public Works Department)

Enacted Number: 831-05
ADOPTED

Recommendations of the Rules Committee

051764 [Appointment - Child Care Planning and Advisory Council]

Resolution appointing Candace Wong, term ending December 31, 2005, and Maria Luz Torre, term ending December 31, 2007, to the Child Care Planning and Advisory Council.

Candace Wong, succeeding Renu Nanda, resigned, seat 3, must be a nominee of District 3 Supervisor selected from: parent advisory councils of

public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for the unexpired portion of a three-year term ending December 31, 2005. Maria Luz Torre, succeeding herself, term expired, seat 10, must be a nominee of District 10 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for the unexpired portion of three-year term ending December 31, 2007.

Enacted Number: 832-05
ADOPTED

051851 [Appointment - In-Home Supportive Services Public Authority]

Resolution appointing Patricia Webb, term ending March 1, 2007, Sharon Brunn, term ending March 1, 2008, Kelly Dearman, term ending March 1, 2006, and Rosie Byers and Alice Wong, for terms to be determined, to the In-Home Supportive Services Public Authority.

Patricia Webb, succeeding Karen Young-Simmons, term expired, seat 2, must be a consumer between the ages of 18 and 60, authorized to represent organizations that advocate for younger people with disabilities, for the unexpired portion of a three-year term ending March 1, 2007. Sharon Brunn, succeeding herself, term expired, seat 3, must be a consumer at-large over the age of 55, for the unexpired portion of a three-year term ending March 1, 2008. Kelly Dearman, succeeding June Keller, term expired, seat 6, must be a member of the Human Services Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2006. Rosie Byers, new appointment, seat 12, must be a member representing the bargaining unit of the union that represents IHSS independent providers, for the unexpired portion of a three-year term to be determined. Alice Wong, new appointment, seat 13, must be a consumer at-large who is 18 years of age or older, for the unexpired portion of a three-year term to be determined.

Enacted Number: 833-05
ADOPTED

The Consent Agenda was approved by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick,

Mirkarimi, Peskin

Absent: 2 - Maxwell, Sandoval

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved to rescind the previous vote.

Motion to rescind the previous vote carried without objection.

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

051940 [Adopting findings related to the tentative parcel map appeal on property located at 554 Valley]

Motion adopting findings related to the appeal of the decision of the Department of Public Works approving tentative parcel map for a 2-lot subdivision project located at 554 Valley Street (Lot 081 in Assessor's Block 6611). (Clerk of the Board)

(Companion measure to Files 051780, 051781, 051782, 051783.)

Enacted Number: M05-153

APPROVED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

051950 [Adopting findings related to affirming the categorical exemption issued for 899 North Point Street]

Motion adopting findings related to affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.

(Companion measure to Files 051222, 051223, 051224, 051225.)

Enacted Number: M05-151

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

Recommendation of the Budget and Finance Committee

050871 [Adopting the Redevelopment Plan Amendment for the South of Market Earthquake Recovery Redevelopment Project Area] — Mayor, Supervisor Daly

Ordinance approving and adopting findings pursuant to the California Environmental Quality Act and a Statement of Overriding Considerations for the Redevelopment Plan Amendment for the South of Market Earthquake Recovery Redevelopment Project Area; amending Ordinance No. 234-90 to adopt the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area; adopting findings that the Redevelopment Plan Amendment and related documents are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; and authorizing official acts in furtherance of this ordinance.

(Fiscal impact.)

Enacted Number: 276-05

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

Recommendation of the Government Audit and Oversight Committee

051887 [Amendments to Administrative Code Section 10B] — Supervisors Peskin, Mirkarimi

Ordinance amending section 10B.2 of the Administrative Code to eliminate the provisions allowing the Mayor to waive payment for services under this chapter, and amending section 10B.20 of the Administrative Code to provide that any person, firm or corporation who receives a street closure permit while being in arrears more than 90 days for payment required shall not be eligible for a future permit.

Enacted 280-05

Number:

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

From the Land Use Committee Without Recommendation

051590 [Designating a portion of Lot 1 in Assessor's Block 1700 (Golden Gate Park), the Music Concourse, as a Landmark under Planning Code Article 10] — Supervisors Mirkarimi, Maxwell, Sandoval, Ammiano, Daly

Ordinance designating a portion of Lot 1 in Assessor's Block 1700 (Golden Gate Park), the Music Concourse, as Landmark No. 249, pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

Enacted Number: 278-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

051285 [Report of Revenue Recovery for Damage to City Property] — Supervisor Ma

Ordinance amending the San Francisco Administrative Code by adding Section 4.26 to require each department to report annually on the value of damage sustained to City real and personal property under its control and the amount of revenue recovered from those responsible for damaging the property.

Enacted Number: 277-05

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

051456 [Creating a Foster Care Improvement Task Force] — Supervisor Maxwell

Ordinance amending the San Francisco Administrative Code by adding Sections 5.300 and 5.305 to establish a Foster Care Improvement Task Force charged with implementing the recommendations of the Disproportionality Project, and to examine and address the overrepresentation of African American children in foster care.

Enacted Number: 279-05

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

NEW BUSINESS

Recommendation of the Budget and Finance Committee

051510 [First Source Hiring Ordinance - Expanding the Chapter to apply to contract modifications; defining OLSE; amending liquidated damages and penalty sections and to provide for administrative — Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending sections 83.2, 83.4, 83.6, 83.7, 83.9, 83.10, 83.11, 83.12, and 83.18 of the First Source Hiring Program to: 1) correct erroneous grammar and subsection references; 2) change "Department of Human Services (DHS)" to "Human Services Agency (HSA);" 3) define OLSE; 4) include the OLSE in making the final administrative determination regarding compliance with this Chapter; 5) include contract modifications under the definition of contracts; 6) amend provision of liquidated damages against contractors who fail to comply with this Chapter and to provide for administrative review; and 7) amend provision of a penalty against permittees and contractors engaged in non-City work performed in San Francisco who fail to comply with this Chapter and to provide for administrative review.

(Fiscal impact.)

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Ordinance be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

051800 [Canceling January 3, 2006, Board of Supervisors meeting] — Supervisor Peskin

Motion canceling January 3, 2006, meeting of the Board of Supervisors.

Enacted Number: M05-150

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,

Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

Recommendation of the Land Use Committee

051462 [Condominium conversion lottery based on seniority of participation] Supervisors Dufty, Ma, Alioto-Pier

Ordinance amending Subdivision Code Section 1396.1 to prioritize the condominium conversion lottery based on seniority of participation in prior lotteries and making environmental findings.

Supervisor Mirkarimi was previously excused from voting on this matter.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Mirkarimi

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Recess

The Board recessed at the hour of 3:43 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:03 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Peskin - 7

Supervisors Mirkarimi and Maxwell were noted present at 4:05 p.m.

Supervisor McGoldrick was noted present at 4:10 p.m.

Supervisor Sandoval was noted present at 4:50 p.m.

SPECIAL ORDER 4:00 P.M.

051784 [Public Hearing - Conditional Use Appeal for 80 West Portal Avenue]

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 17117 dated October 6, 2005 (Case No. 2005.0698C), approving, subject to certain conditions, a conditional use authorization pursuant to Planning Code Section 729.53 to establish mortgage brokerage as a business or professional service (Guarantee Mortgage), in a vacant ground floor commercial space approximately 2,318 gross square feet in the West Portal Avenue Neighborhood Commercial District and 26-X Height and Bulk District, on property located at 80 West Portal Avenue, Lot 008, in Assessor's Block 2931. (Appellant: Kenneth D. Kruszka, representing the Greater West Portal Neighborhood Association).

(Filed November 1, 2005; companion measure to Files 051784, 051785, 051786, 051787; Disctrict 7.)

The President inquired as to whether or not any member wished to address the Board.

Kenneth D. Kruszka, Greater West Portal Neighborhood Association, appellant

Patricia Greenlin; support of appellant

Jim Christian; support of appellant

Bren Norris; support of appellant

Patricia Clark; support of appellant

Owner of Dimitris; support of appellant

Carolyn Wood, Miraloma Park; support of appellant

Howard Strassner; support of appellant

Bud Wilson; support of appellant

Ellen Johnson; support of appellant

Ms.Doyle; support of appellant

Larry Badiner, Zoning Administrator, Planning Department reviewed with the Board the Planning Commission's recommendation.

There were no representatives from the project sponsor.

Rebuttal Period:

Kenneth D. Kruszka, Greater West Portal Neighborhood Association, appellant

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051785 [Approving Planning Commission decision related to Conditional Use Appeal for 80 West Portal Avenue]

Motion approving decision of the Planning Commission by its Motion No. 17117, approving Conditional Use Application 2005.0698C on property located at 80 West Portal Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051786 [Disapproving Planning Commission decision related to Conditional Use Appeal for 80 West Portal Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 17117, approving Conditional Use Application 2005.0698C on property located at 80 West Portal Avenue. (Clerk of the Board)

Enacted Number: M05-148

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051787 [Preparation of findings related to the Conditional Use Appeal for 80 West Portal Avenue]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2005.0698C on property located at 80 West Portal Avenue, for action by the Board at its next meeting. (Clerk of the Board)

Enacted Number: M05-149

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

051852 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 730 Great Highway]

Hearing of persons interested in or objecting to the decision of the Planning Department dated July 19, 2004, (Case No. 031009E), exempting from environmental review under General Rule (State CEQA Guidelines, Section 15061 (b)(3)), the proposed construction project at 730 Great Highway. The project would construct a three-story, four-unit dwelling structures, 31.5 feet high with 6,540 square feet living area, 840 square feet garage which accommodate 4 off-street parking spaces. The proposed site is a 3,360 square feet vacant lot at east Great Highway and about 141 feet south from Balboa Street, zoned RM1, 40-X Height and Bulk District, within coastal Special Use District (SUD) and Special Sign District (SSD). (Appellant: Stephen M. Williams representing the Ocean Parc Village Homeowners Association.)

The President inquired as to whether or not any member wished to address the Board.

There were none.

Continued to January 17, 2006 at 4:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051853 [Affirming the categorical exemption issued for 730 Great Highway]

Motion affirming the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 17, 2006 at 4:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

051854 **[Disapproving the categorical exemption issued for 730 Great Highway]**

Motion disapproving the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 17, 2006 at 4:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

051855 **[Preparation of findings related to the categorical exemption issued for 730 Great Highway]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 17, 2006 at 4:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

COMMITTEE REPORTS

051767 **[Red Light Photo Enforcement Contract]** Supervisor Ma

Resolution approving the contract between the Department of Parking and Traffic and ACS State and Local Solutions for administrative support services for the Red Light Photo Enforcement Program for a term not to exceed five years and an amount not to exceed $10,195,471.00.

(Fiscal impact.)

Enacted Number: 826-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,

McGoldrick, Mirkarimi, Peskin, Sandoval

051890 [Traffic Regulations - 18th Street] Supervisor Dufty

Resolution rescinding No Parking 7am-4pm except Saturday and Sunday on 18th Street, north side, between Dolores and Church Streets.

NO PARKING 7A-4P EXCEPT SATURDAY AND SUNDAY- RESCIND
18th Street, north side, between Dolores and Church Streets

Enacted Number: 834-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; showed interest in homeless issues

James Choffee; expressed concern with issues relating to the Library

Bernice, Local IBU-ILWU: support of Item 46 Maritime Union Job Retention

Captain Ray Shipley, Masters Mates & Pilots; support of Item 46 Maritime Union Job Retention

Gunnar Lundeberg, Sailors Union of the Pacific; support of Item 46 Maritime Union Job Retention

Jackie Pasquale; support of Item 46 Maritime Union Job Retention

Brad Kopp; support of Item 46 Maritime Union Job Retention

Roger Lowe; support of Item 46 Maritime Union Job Retention

Felix Thierry; support of Item 46 Maritime Union Job Retention

Linda Hallford; support of Item 46 Maritime Union Job Retention

Jennifer Norris; expressed opposition to Item 38 relating to the Bernal Heights preschool

Peter Warfield; expressed concern issues relating to RFID

Eugene Gordon: showed interest with human rights issues

Anthony Paplosky; support of Item 46 Maritime Union Job Retention

Alan Zeng; expressed concern with issues relating to the Chinese New Years Eve parade

Ellen Engbert; expressed opposition to Item 38 relating to the Bernal Heights preschool

Rubin David Goodman; showed interest in programs to help stop violence

Marion Chadfell Taylor; expressed opposition to Item 38 relating to the Bernal Heights preschool

Claire, Friends of the Library; expressed opposition to Item 38 relating to the Bernal Heights preschool

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051926 [Urging Low-Income Heating Oil Assistance Program] — Supervisors Peskin, Dufty, Daly

Resolution commending Citgo Petroleum Group for its plan to provide low-income communities in the United States of America with discounted home heating oil, inviting Citgo to engage in a similar program with San Francisco's low-income residents, and urging other major oil companies to invest a portion of record profits in low-income assistance programs.

Supervisor Daly requested to be added as a co-sponsor.

Enacted Number: 835-05

ADOPTED

051927 [Accept-Expend State Grant - Police Department] — Supervisor Alioto-Pier

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $45,000.00 (Forty-Five Thousand dollars) from the California Department of Boating and Waterways to purchase miscellaneous boating equipment for use in boating safety and law enforcement activities.

Enacted Number: 824-05

ADOPTED

051929 [Proclaiming that the San Francisco Lesbian/Gay Freedom Band as the Official Band of the City — Supervisors Dufty, Ammiano

and County of San Francisco]

Resolution proclaiming that the San Francisco Lesbian/Gay Freedom Band as the Official Band of the City and County of San Francisco.

Enacted Number: 828-05

ADOPTED

051930 [Declaring December 10th, 2005 as Dance-Along Nutcracker Day in the City and County of San Francisco] Supervisors Dufty, Ammiano

Resolution declaring December 10th, 2005 as Dance-Along Nutcracker Day in the City and County of San Francisco.

Enacted Number: 837-05

ADOPTED

051931 [National Family Week] Supervisor Ma

Resolution declaring November 20 - 26, 2005 as "National Family Week" in the City and County of San Francisco.

Enacted Number: 836-05

ADOPTED

051932 [Supporting the Department on the Status of Women proposal for a Domestic Violence Cross-Training Institute] Supervisor Maxwell

Resolution supporting the Department on the Status of Women's proposal to the Blue Shield Foundation for funding to support the development of a Domestic Violence Cross-Training Institute.

Enacted Number: 838-05

ADOPTED

051933 [Commending Thrasher Magazine on their 25th Anniversary] Supervisor Mirkarimi

Resolution commending Thrasher Magazine on the occasion of their 25th anniversary.

Enacted Number: 827-05

ADOPTED

051934 [Grant to improve pedestrian safety awareness in San Francisco] Supervisor Mirkarimi

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept and expend a new grant in the amount of $337,725 from the California Office of Traffic Safety (COTS) to improve pedestrian safety awareness in San Francisco, and to enter into an agreement for the use of these funds; for the period of October 1, 2005, to December 31, 2007.

Enacted Number: 841-05

ADOPTED

051946 [Urging CA Air Resources Board] Supervisor Peskin

Resolution supporting adoption of the California Air Resources Board's (CARB) proposed regulation for auxiliary diesel engines and diesel-electric engines operated on ocean-going vessels within California waters and 24 nautical miles of the California Baseline for the purpose of reducing air pollution from ships that call on the Port of San Francisco, neighboring ports and all California ports.

Enacted Number: 860-05

ADOPTED

051900 [Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-152

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from Without Reference to Committee Agenda

Supervisor Ammiano requested that this matter be severed so that it might be considered separately.

051928 [Bernal Heights preschool] Supervisor Ammiano

Resolution urging that the Bernal Preschool return to the Bernal Branch Library upon completion of the Branch Library Renovation.

Continued to December 13, 2005

Supervisor Ammiano, seconded by Supervisor Daly, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor McGoldrick

Supervisor Ammiano, seconded by Supervisor Daly, moved to excuse Supervisor McGoldrick, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

051947 [Supporting Maritime Union Job Retention] — Supervisors Peskin, Alioto-Pier, Daly, Mirkarimi, Maxwell, Ma, Dufty

Resolution supporting the retention of San Francisco maritime union jobs aboard the Alcatraz ferry service and urging the San Francisco Port Commission to consider the economic and traffic impacts of moving ferry service away from Fisherman's Wharf.

Supervisors Alioto-Pier, Daly, Mirkarimi, Maxwell, Ma, and Dufty requested to be added as co-sponsors.

Enacted Number: 846-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051954 [Amend the Definition of Properties Eligible to Apply for a Mills Act Contract] — Supervisor Alioto-Pier

Ordinance amending the Administrative Code by amending Section 71.2 to expand the definition of "qualified historical properties" eligible to apply for a Mills Act contract; and making environmental findings.

(Fiscal impact.)

12/6/05, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/5/2006.

051956 [Prohibiting taxicab permit holders from joining or transferring to a color scheme that is not in compliance with the rules and regulations of the City's paratransit program] Supervisor Peskin

Ordinance amending Police Code Section 1147.8 to prohibit taxicab permit holders from joining or transferring to a color scheme that is not in compliance with the rules and regulations of the City's paratransit program.

12/6/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 1/5/2006.

051962 [Membership in the Asthma Task Force] Supervisor Maxwell

Ordinance amending Sections 19A.20 and 19A.23 of the San Francisco Administrative Code to reduce the number of voting members in the Asthma Task Force from 20 to 15 members, modify the list of non-voting members from City agencies, and extend the Task Force expiration date to June 30, 2008.

12/6/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/5/2006.

051963 [Memorandum of Understanding - Local 21, AFL-CIO] Mayor

Ordinance adopting and implementing the agreement between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County of San Francisco to resolve a grievance regarding the application of performance bonus language for Fiscal Year 2004-2005 in the parties' Memorandum of Understanding and to implement the amended performance bonus language for Fiscal Year 2005-2006 in Amendment No. 5 to the Memorandum of Understanding, effective upon adoption.

(Fiscal impact.)

12/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051822 [Residential Housing Purchaser Protection Ordinance] Supervisor Daly

Ordinance amending Administrative Code Section 37.10A to require property owners and their agents to disclose to prospective buyers of residential property consisting of two or more units, the legal ground(s) for the termination of a tenancy and whether any units were occupied by elderly and or disabled tenants at the time of termination of tenancy.

11/1/05, RECEIVED AND ASSIGNED to Land Use Committee.

11/7/05, REFERRED TO DEPARTMENT. Referred to City Attorney to be approved as to form.

12/6/05, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title and approved as to form.

12/6/05, ASSIGNED to Land Use Committee. Sponsor requests this item be considered at the December 14, 2005 meeting.

Resolutions

051952 [Board of Supervisors - Meeting Schedule]

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the February 21, 2006, May 30, 2006, October 10, 2006, November 28, 2006, December 19, 2006, December 26, 2006 and January 2, 2007 meetings and by canceling all Board and Committee meetings from August 16 through September 5, 2006 and re-instating the regularly scheduled Board of Supervisors meeting on January 17, 2006. (Clerk of the Board)

12/6/05, RECEIVED AND ASSIGNED to Rules Committee.

051955 [Parking Regulations] Supervisor Peskin

Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 1-HOUR PARKING - RESCIND
PARKING METER AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 2-HOUR PARKING - ESTABLISH
Grant Avenue, both sides, between Vallejo and Filbert Streets

(11/29/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

12/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 01/06/06- Parking and Traffic notified to post notices in affected locations and ad place in the 1/11/06 edition of the SF Chronicle for the 1/23/06 meeting date.

051957 [Grant of Local Funds - Municipal Transportation Agency] Supervisors Dufty, Ma

Resolution authorizing the Municipal Transportation Agency to accept and expend $876,050 of Transportation Fund for Clean Air Regional Funds from the Bay Area Air Quality Management District to implement projects that reduce air pollution from motor vehicles.

12/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051960 [Authorizing the Committee on Information Technology to amend its contract with En Pointe Technologies to exceed $10 million] Supervisor Daly

Resolution authorizing the Committee on Information Technology to enter into the Third Amendment between the City and En Pointe Technologies (part of the Computer Store procurement vehicle), in which the amendment

shall increase the contract's anticipated expenditures to over $10 million.

12/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051961 [Authorizing the Committee on Information Technology to amend its contract with Xtech to exceed $10 million] Supervisor Daly

Resolution authorizing the Committee on Information Technology to enter into the Third Amendment between the City and Xtech (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's anticipated expenditures to over $10 million.

12/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051964 [Urging Planning Commission to Update Transportation Analyses under CEQA] Supervisor Mirkarimi

Resolution urging the Planning Commission to set policy directing the Environmental Review Officer to modify local environmental review criteria to assess transportation impacts more accurately in conformance with updated analytical methods.

12/6/05, RECEIVED AND ASSIGNED to Land Use Committee.

051965 [Accept-Expend State Grant - Port Commission] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $450,000 from the Governor's Office of Homeland Security for purchase of security enhancements.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051966 [Honoring Rosa Parks] Supervisors Ammiano, Maxwell, Dufty, Peskin, Mirkarimi, Daly, Alioto-Pier, McGoldrick, Ma, Elsbernd

Resolution commemorating the life and mourning the loss of Rosa Parks, an icon of the Civil Rights Movement whose brave act of refusing to give up her seat on an Alabama bus in 1955 led to the end of legalized segregation in the United States; and further declaring that December 1st shall annually be observed as Rosa Parks Commemoration Day in the City and County of San Francisco and further urging the President of the United States and the United States Congress to officially designate December 1st as a holiday to commemorate the life and contribution of Rosa Parks and the legacy of the Civil Rights movement in the United States; and further encouraging all businesses in the City, both public and private, to either close on December 1st or allow the many workers and students in the City who will want to attend Rosa Parks Commemoration events taking place during normal business hours to take the day off or to leave work and school early with impunity.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051967 [Contract with Owners' Association for administration of Noe Valley Community Benefit District] Supervisor Dufty

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "Noe Valley Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

12/6/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051968 [Contract with Owners' Association for administration of Castro/Upper Market Community Benefit District] — Supervisor Dufty

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "Castro/Upper Market Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

12/6/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051969 [Urging the Names Project Foundation to return the AIDS Quilt to San Francisco] — Supervisors Dufty, Ammiano, Mirkarimi

Resolution urging the Names Project Foundation to return the AIDS Quilt to San Francisco.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051970 [Commending Supervisor Zev Yaroslavsky for 30 years of elected service to the City and County of Los Angeles, California] — Supervisor Dufty

Resolution commending Supervisor Zev Yaroslavsky for 30 years of dedicated elected public service to the City and County of Los Angeles, California.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051971 [Commending Wells Fargo] — Supervisors Dufty, Ammiano

Resolution commending Wells Fargo for its Exemplary Corporate Citizenship and Commitment to Diverse Communities.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051972 [Expressing best wishes to Eric Batchelder for a successful recovery and commending his dedication and courage as a member of the San Francisco Police Department] — Supervisors Dufty, Elsbernd

Resolution expressing best wishes to Eric Batchelder for a successful recovery and commending his dedication and courage as a member of the San Francisco Police Department.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051973 [Russian Bilingual Bicultural Program] — Supervisor Ma

Resolution urging the San Francisco Unified School District to consider the feasibility of establishing a Russian Bilingual Bicultural Program, incorporating methods from the European educational system of learning.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051974 [Accept-Expend Grant - Public Library] Supervisor Ma

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $153,000 from the Bill & Melinda Gates Foundation to provide sustainable public access computer hardware and software upgrades.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051975 [Accept-Expend Federal Grant - Office of the Chief Medical Examiner] Supervisors Ma, Dufty

Resolution authorizing the Office of the Chief Medical Examiner to accept and expend a grant in the amount of $74,300.00 from the Office of Justice Programs of the Department of Justice for Forensic Science improvement.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051977 [Accept and Expend Federal Transportation Grant - Airport Commission] Supervisor Ma

Resolution authorizing the Airport Commission to accept and expend a grant totaling $44,000 from the Federal Transit Administration through the California Department of Transportation (CalTrans) and the Metropolitan Transportation Commission (MTC) for ground transportation planning interns.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051978 [Accept-Expend State Grant - Port Commission] Supervisor Maxwell

Resolution authorizing the San Francisco Port Commission to accept and expend $4,200,000 in grant funds from the Safe Accountable Flexible Efficient Transportation Equity Act: a Legacy for Users ($3,200,000), the Metropolitan Transportation Commission Regional Bicycle and Pedestrian Program Grant ($750,000), and the Association of Bay Area Governments ($250,000) for continued work on the Illinois Street Intermodal Bridge Project.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051979 [International Day to end violence against sex workers] Supervisor McGoldrick

Resolution proclaiming December 17th, 2005 as International Day to End Violence Against Sex Workers in San Francisco.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051980 [Unlitigated Claim against Pacific Gas and

Electric Company]

Resolution authorizing settlement of the unlitigated claim by the City and County of San Francisco against Pacific Gas and Electric Company for $615,222.78 for damages caused by power outage of December 20-21, 2003. (City Attorney)

12/1/05, RECEIVED AND ASSIGNED to Rules Committee.

051987 [Calling for the immediate incorporation of human rights curricula in primary and secondary schools and offering express support for the drafting of an International Convention on Human] — Supervisors McGoldrick, Mirkarimi, Elsbernd

Resolution calling for the immediate incorporation of human rights education into the curricula of primary and secondary schools in San Francisco and encouraging the teaching of human rights in schools worldwide and offering express support for the drafting of an International Convention on Human Rights for the new millennium.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051988 [Commending the 409 House at 409 Clayton Street] — Supervisor Mirkarimi

Resolution commending the 409 House at 409 Clayton Street in recognition of its contributions to community activism in San Francisco.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051989 [Commending the Coordinators of the Thanksgiving Dinner for the Homeless and Needy] — Supervisor Mirkarimi

Resolution commending the event coordinators of the Thanksgiving Dinner for the Homeless and Needy for organizing a successful holiday celebration and feast in the Western Addition.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051990 [Exclusive Negotiating Agreement for Development of the Old Mint] — Supervisor Peskin

Resolution extending the expiration date of the Exclusive Negotiating Agreement between the City and the San Francisco Museum and Historical Society for the development of the Old Mint.

12/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

051953 [Overview of shootings and homicides in San Francisco, 2004 and 2005] — Supervisors Maxwell, Mirkarimi

Hearing to consider the following topics: 1) Geography of shootings and

homicides; 2) Demographic and social profile of perpetrators and victims; 3) Status of investigations and prosecutions.

12/6/05, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence. Sponsor requests this item be considered at the December 12, 2005 meeting.

051958 [Jimmy Herman Cruise Ship terminal and future of Pier 35] Supervisor Alioto-Pier

Hearing regarding the status of the Jimmy Herman Cruise Ship terminal and the future of Pier 35.

12/6/05, RECEIVED AND ASSIGNED to Land Use Committee.

051959 [Halloween in the Castro] Supervisor Dufty

Hearing to review the City's efforts to manage Halloween in the Castro and consider alternatives such as charging a mandatory entrance fee.

12/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motion

051951 [Rules of Order - Select Committee on Ending Gun and Gang Violence Consists of Five Members] Supervisor Maxwell

Motion amending the Board of Supervisors Rules of Order by adding Rule 5.8 to provide that the Select Committee on Ending Gun and Gang Violence shall be comprised of five members of the Board of Supervisors.

12/6/05, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be heard at the December 14, 2005 meeting.

PROPOSED ORDINANCES

051896 [Settlement of Lawsuit - National Center for International Schools, et al., v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by National Center for International Schools against the City and County of San Francisco for $178,667.42; the lawsuit was filed on October 28, 2004 in San Francisco Superior Court, Case No. 435-875; entitled National Center for International Schools, et al., v. City and County of San Francisco, et al. (City Attorney)

11/21/05, RECEIVED AND ASSIGNED to Rules Committee.

051899 [Settlement of Lawsuit - Evan Weiss Arkush, et al., v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by Evan Weiss Arkush against the City and County of San Francisco for $125,000; the lawsuit was filed on July 26, 2004 in San Francisco Superior Court, Case No. 432-947; entitled Evan Weiss Arkush, et al., v. City and County of San Francisco, et al. (City Attorney)

11/23/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

051837 [Exceptions to the Ban on Compensated Advocacy] Supervisor Mirkarimi

Ordinance amending Section 3.224 of the Campaign and Governmental Conduct Code to clarify that the exception to the ban on compensated advocacy for City officers who are licensed attorneys applies to City officers who are licensed attorneys engaged in the practice of law, which includes representing clients in communications with the City Attorney's Office, District Attorney's Office, the Public Defender's Office, attorneys in the Tax Collector's Office or Sheriff's Department, outside legal counsel hired by the City, and City officers and employees who are named in a pending litigation matter or are witnesses or potential witnesses in a pending litigation matter. (Ethics Commission)

11/15/05, RECEIVED AND ASSIGNED to Rules Committee.

051875 [Report of assessment costs for sidewalk and curb repairs]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

(DPW Order No. 175,671; Location: 800 Shrader Street.)

11/16/05, ASSIGNED to Board of Supervisors.

12/7/05, FILED. Withdrawm by Department.

051876 [Statements of Economic Interests for Candidates for City Elective Office] Supervisor Mirkarimi

Ordinance amending section 3.1-102 of the Campaign and Governmental Conduct Code to require all candidates for City elective office to file statements of economic interests with the Department of Elections no later than the final filing date for a declaration of candidacy. (Ethics Commission)

11/21/05, RECEIVED AND ASSIGNED to Rules Committee.

051897 [Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2005-06]

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2005-2006 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2005-2006. (Public Health Department)

11/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051898 [Appointment - Local Homeless Coordinating Board]

Resolution appointing Christine Ma, M.D., for a term to be determined, to the Local Homeless Coordinating Board, residency requirement waived. (Controller)

11/22/05, RECEIVED AND ASSIGNED to Rules Committee.

051935 [Settlement of Claim - Yully Company]

Resolution approving the settlement of the unlitigated Claim No. 05-03042 filed by Yully Company on March 24, 2005, against the City and County of San Francisco for $119,000. (City Attorney)

11/23/05, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of installing a stop sign at the intersection of San Anselmo and San Buenaventura.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To inspect whether or not the Department of Parking and Traffic can install a yield sign or some other traffic calming measure at the intersection on Isola Way approaching Teresita Blvd.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To inspect whether or not the Department of Parking and Traffic can install a stop sign or some other traffic calming measure at the intersection of Vale Avenue and Sloat Boulevard. This intersection represents a safety concern to neighbors in the area.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of the repair of patholes at the following locations: 839 Golden Gate Avenue, 855 Golden Gate Avenue and 536 Steiner Street.

From: Supervisor Mirkarimi

To: General Manager, Public Utilities Commission

Requesting/Inquiring: To report on the status of the cleaning of the storm drains along Webster Street at the intersections of Turk Street, Golden Gate Avenue, McAllister Street and Fulton Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of the cleaning of the storm drain grates along Webster Street at the intersections of Turk Street, Golden Gate Avenue, McAllister Street and Fulton Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the status of the graffiti removal from street parking signs on Fillmore Street

In Memoriams

Ivan Zimmerman - Supervisor Elsbernd

Ernest Laurent Sarlatte - Supervisor Elsbernd

Janet Pomeray - Entire Board

Douglas Murphy - Entire Board

John Voelker - Entire Board

Peter Haas - Supervisor Dufty

Thomas Francis O'Donnell, Jr. - Supervisor Elsbernd

Hildegarde Burness - Supervisors Elsbernd and Dufty

Mary Alatorre - Supervisor Dufty

Eileen P. Hallisy - Supervisor Elsbernd

Qiong Zhen Yu Zhau - Supervisors Peskin and Mirkarimi

Robert C. Paon, D.D.S. - Supervisor McGoldrick

Derrick Lindsey, Jr. - Supervisor Mirkarimi

De'Mario Brown - Supervisor Mirkarimi

Edith Hemer - Supervisor Sandoval

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:03 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 10, 2006.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby Jr. by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999-2006 City & County of San Francisco. All rights reserved.

Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.
JAN 31 2006
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, December 13, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona*

Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll Supervisor Maxwell was noted absent.

There was a quorum.

Supervisor Maxwell was noted present at 2:08 p.m.

APPROVAL OF MEETING MINUTES

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved to approve the November 15, 2005 and November 22, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

051449 [Liquor License, 2925 16th Street]

Resolution determining that the issuance of a type 48 on-sale general public premise license to Peter Glikshtern on behalf of Aljoy Inc. for Pink located at 2925 16th Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 848-05

ADOPTED

051805 [STOP and YIELD Intersections]

Resolution designating certain intersections as "STOP" or "YIELD" intersections.

STOP SIGNS - ESTABLISH
19th Street and Rhode Island Street, stopping 19th Street at Rhode Island Street, making this uncontrolled T-intersection a One-Way STOP.
Leese Street and Richland Avenue, stopping Richard Avenue at Lesse Street, making this an All-Way STOP.
28th Avenue and Lake Street, stopping the northern intersection of 28th Avenue at Lake Street, making this intersection an All-Way STOP.

YIELD SIGN - ESTABLISH
San Bruno Avenue, southbound, merging onto Bayshore Boulevard, south of Arleta Avenue. (Parking and Traffic Department)

(10/19/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3078.)

Enacted Number: 849-05
ADOPTED

051806 [Parking Regulations]
Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hillway Avenue, east side, from Carl Street to the north property line of #40 Hillway Avenue.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Hillway Avenue, east side, between Carl Street and Parnassus Avenue.

PARKING METERS, 1-HR. TIME LIMIT - RESCIND
PARKING METERS, 2-HR. TIME LIMIT - ESTABLISH
20th Avenue, parking lot on west side, between Irving Street and Lincoln Way. (Parking and Traffic Department)

(10/19/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3078.)

Enacted Number: 850-05
ADOPTED

051807 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.

NO TURN ON RED - ESTABLISH
Franklin Street, northbound, at Fell Street. (Parking and Traffic Department)

(10/19/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3078.)

Enacted Number: 851-05
ADOPTED

051849 [STOP Intersections] Supervisor Mirkarimi

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Pierce and Fulton: stopping northbound and southbound at Pierce Street, and eastbound and westbound at Fulton Street, making this intersection an All-Way STOP;
4th Ave. at Hugo: stopping northbound and southbound 4th Ave. and eastbound and westbound Hugo, making this intersection an All-Way STOP;
Octavia at Fulton: stopping eastbound and westbound at Octavia Street;

Enacted Number: 853-05
ADOPTED

051847 [Parking Regulations] Supervisor Sandoval

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - ESTABLISH
Alemany Boulevard, westside, from 34 feet to 70 feet north of Ocean Avenue.

(11/8/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 852-05
ADOPTED

051850 [Traffic Regulations] Supervisor Sandoval

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
Alemany Boulevard, northbound, from 200 feet west of San Jose Avenue to

Niagara Avenue, and from Geneva Avenue to Rousseau Street; and,
Alemany Boulevard, southbound, from Rousseau Street to Seneca Avenue, and from Geneva Avenue to San Jose Avenue.

LEFT LANE MUST TURN LEFT - ESTABLISH
Alemany Boulevard, southbound, at Geneva Avenue; and,
Alemany Boulevard, northbound, at Geneva Avenue.

RIGHT LANE MUST TURN RIGHT - ESTABLISH
Alemany Boulevard, northbound, at San Jose Avenue/Regent Street; and
Alemany Boulevard, southbound, at Rousseau Street.

(11/8/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 854-05
ADOPTED

051897 [Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2005-06]

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2005-2006 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2005-2006. (Public Health Department)

Enacted Number: 855-05
ADOPTED

051909 [Grant for mosquito control to reduce the threat of West Nile virus] Supervisors Ma, Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $175,426.20 from the California Department of Health Services (CDHS) for mosquito control to mitigate the threat of West Nile virus transmission, and to enter into an agreement for the use of these funds; for the period of July 1, 2005 to June 30, 2006.

Enacted Number: 856-05
ADOPTED

051910 [Grant to develop training resources and a support network for injury prevention Supervisor Alioto-Pier

professionals in California, Kids' Plates initiative]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of $55,000 from the San Diego State University Research Foundation (SDSU) for the injury prevention leadership initiative, Kids' Plates, and to enter into an agreement for the use of these funds; for the period of August 15, 2005, to June 30, 2007.

Enacted Number: 857-05

ADOPTED

051911 [Approve a no-cost extension of grant funds from the prior (third) year of the grant, extend the term of the grant, and change grant-funded positions] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to approve a no-cost extension of grant funds from the Substance Abuse and Mental Health Services Administration (SAMHSA) in the amount of $309,049 in funds left over from the prior grant year of September 30, 2004 to September 29, 2005, extending the term from September 29, 2005, to September 29, 2006, and changing grant-funded positions; for the new period of September 30, 2005, to September 29, 2006.

Enacted Number: 858-05

ADOPTED

051912 [Grant to establish an enhanced STD Surveillance Network to better understand trends in gonorrhea and other sexually transmitted diseases and develop appropriate interventions in Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of $80,000 from the Centers for Disease Control and Prevention (CDCP), to establish an enhanced STD Surveillance Network, to enter into an agreement for the use of these funds, and to add one 1.0 new position funded through this grant; for the period of September 30, 2005, to September 29, 2006.

Enacted Number: 859-05

ADOPTED

051914 [Grant to improve pedestrian safety in Bayview Hunters Point San Francisco] Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health

(SFDPH), to accept and expend a new grant in the amount of $157,541 from the California Department of Transportation (CDOT) to improve pedestrian safety in Bayview Hunters Point, San Francisco, and to enter into an agreement for the use of these funds; for the period of January 1, 2006, to June 30, 2007.

Enacted Number: 861-05

ADOPTED

051922 [Grant for the Let's Be Healthy! Project to promote healthy living and prevent and manage chronic health conditions among Russian-speaking newcomers in San Francisco] Supervisors McGoldrick, Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new four year grant, in the amount of $18,813 for the first year, from Bay Area Community Resources (BACR), for the Let's Be Healthy! Project and to enter into an agreement for the use of these funds; for the period of October 1, 2005, to June 30, 2006.

Enacted Number: 862-05

ADOPTED

051941 [Grant to improve accessibility of and participation in the elections process]

Resolution authorizing the San Francisco Department of Elections to accept and expend a grant in an amount not to exceed $98,521.74 from California Secretary of State, as partial reimbursement for implementation of Help America Vote Act Section 261, to improve improving accessibility to and participation in the elections process. (Elections Department)

Enacted Number: 863-05

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use Committee

051462 [Condominium conversion lottery based on seniority of participation] — Supervisors Dufty, Ma, Alioto-Pier

Ordinance amending Subdivision Code Section 1396.1 to prioritize the condominium conversion lottery based on seniority of participation in prior lotteries and making environmental findings.

Supervisor Mirkarimi was previously excused from voting on this matter.

Enacted Number: 281-05

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Mirkarimi

NEW BUSINESS

Recommendation of the Budget and Finance Committee

051827 [Exempting pushcart peddlers with BART permits at 16th and 24th Street Stations from Police permit requirements] — Supervisor Ammiano

Ordinance amending Article 17.3 of the Police Code by amending Section 1330 to define BART; adding Section 1330.2 to exempt pushcarts who obtain permits from BART for the 16th St. and 24th St. BART stations or adjacent plaza from obtaining a police permit; amending Section 1330.5 to require the Health Department Director to make a recommendation to BART within 30 days after the filing of such application with BART; amending Section 1330.14 to require the Health Department Director to forward the Certificate of Sanitation decal number assigned to each pushcart under the jurisdiction of BART to BART; and by renumbering Sections 1330.2 through 1330.6.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use Committee

050601 [Better Neighborhoods Planning and Implementation Process] Supervisors McGoldrick, Maxwell

Ordinance amending the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); amending Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents; amending Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas; and Section 312B to establish permit review procedures for certain projects within Better Neighborhoods Plan areas; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisor Ma, seconded by Supervisor Mirkarimi, moved to continue this matter to January 17, 2006 pending Board action on reinstating the January 17, 2006 Board meeting.

Supervisor Ma, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Mirkarimi, Peskin, Sandoval
Noes: 3 - Ammiano, Maxwell, McGoldrick

051120 [Street Encroachment at 624 Laguna Street]

Resolution granting revocable permission to 624 Laguna LP, to occupy a portion of the public right-of-way for the installation and operation of a new sub-sidewalk elevator under the sidewalk fronting the subject property at 624 Laguna Street (Block 0807, Lot 012), and making findings of consistency with the City's General Plan and Planning Code Section 101.1. (Public Works Department)

Enacted Number: 847-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved to rescind the previous vote.

Motion to rescind the previous vote carried without objection.

Amended on page 3, line 12, after "786" by inserting "et seq".

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Resolution be ADOPTED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

051995 [Fifth Annual Youth Recognition Day]

Fifth Annual Youth Recognition Day Presentation. (Clerk of the Board)

Gloria L. Young, Clerk of the Board and Colleen Montoya, former Director of the Youth Commission Director recognized Ron McCann's accomplishments upon his leaving the staff of the Youth Commission.

Supervisor Peskin presented a Certificate of Honor to Ron McCann in recogniton of his employment with the Youth Commission.

Chair of the Youth Commission

Representatives from Congresswoman Pelosi, Assemblyman Mark Leno and Mayor Gavin Newsom Offices presented Certificates of Honor to the the individuals being honored by the Board of Supervisors.

The following individuals were recognized by the Board of Supervisors

Corey Linehan, Supervisor Michela Alioto-Pier

Lucila Bravo, Supervisor Tom Ammiano

Nyguyet Ho, Supervisor Chris Daly

Wilson Jimenez, Supervisor Bevan Dufty

Yvonne Chen, Supervisor Elsbernd

Langford Poh, Supervisor Fiona Ma

Carlos Guiterrez, Supervisor Sophie Maxwell

Chhu Sen leng, Supervisor Jake McGoldrick

Tyshena White, Supervisor Ross Mirarimi

Ben Ng, Supervisor Aaron Peskin

Jared Wilson, Supervisor Gerardo Sandoval

Rachel Antrobus, Director of the Youth Commisisoner addressed the Board members.

HEARD AT PUBLIC HEARING.

SPECIAL ORDER 4:00 P.M.

051858 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 1135-1139 Green Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 23, 2005, Case No. 2005.0842D, (Building Permit Application No. 2005.06.16.5311), exempting from environmental review under the California Environmental Quality Act ("CEQA") the proposal to construct a new subterranean basement and five-car garage under three existing two-story townhouses. The subject property is within an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District. The project site is located at 1135-1139 Green Street, south side of Green Street between Hyde and Leavenworth Streets; Lots 115, 116, and 117 in Assessor's Block 0125. (Appellants: F. Joseph Butler on behalf of The Little House Committee and Russian Hill Community Association.)

The President inquired as to whether or not any member of the public wished to address the Board.

The President declared the public hearing closed.

Supervisor Maxwell, seconded by Supervisor Sandoval, moved that this Hearing be FILED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

Planning Department rescinded its environmental exemption.

(Only one of the following two motions should be adopted.)

051859 [Affirming the categorical exemption issued for 1135-1139 Green Street]

Motion affirming the determination by the Planning Department that the

1135-1139 Green Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Sandoval, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051860 [Disapproving the categorical exemption for 1135-1139 Green Street]

Motion disapproving the determination by the Planning Department that the 1135-1139 Green Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Sandoval, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051861 [Preparation of findings related to the categorical exemption issued for 1135-1139 Green Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1135-1139 Green Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Sandoval, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:30 P.M.

051936 [Public Hearing - Appeal of Final Mitigated Negative Declaration for 2660 Harrison Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 3, 2005, File Number 2004.0672E, for the proposed development project at 2660 Harrison Street.

(Filed 11/23/05; companion measure to Files 051936, 051937, 051938, 051939, District 9.)on

The President inquired as to whether or not any member of the public wished to address the Board.

Sue Hestor, Representing appellant, requesting a continuance to January 24, 2006.

Continued to January 24, 2006.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this

Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051937 [Affirming adoption of the final mitigated negative declaration for 2660 Harrison Street]

Motion affirming Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street. (Clerk of the Board)

Continued to January 24, 2006

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051938 [Reversing adoption of the final mitigated negative declaration for 2660 Harrison Street]

Motion reversing the Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street. (Clerk of the Board)

Continued to January 24, 2006

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051939 [Preparation of findings to reverse adoption of the final mitigated negative declaration for 2660 Harrison Street]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street. (Clerk of the Board)

Continued to January 24, 2006

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

051906 [Appointment - Police Commission]

Motion confirming the Rules Committee's nominations of, and appointing, David Campos, term ending April 30, 2006, and Petra DeJesus, term ending April 30, 2009, to the San Francisco Police Commission.

David Campos, succeeding Peter Keane, resigned, seat 2, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for the unexpired portion of a two-year term ending April 30, 2006. Petra DeJesus, succeeding Gayle Orr-Smith, resigned, seat 3, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for the unexpired portion of a four-year term ending April 30, 2009.

Enacted Number: M05-154

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdalla Megahed; showed interest in homeless issues

Richard Stetman, expressed concern with issues relating to the SFPD

Male speaker; Support of Item 35, urging the Names Project Foundatin to return the AIDS Quilt to SF

James Chaffee; expressed concerns with issues relating the SF Library

Eugene J .Gordon; expressed concern with international issues

Male Speaker; expressed concern with the Chinese New Year's parade and process for participating

Female Speaker; expressed concern with the Chinese New Year's parade and process for participating

Male Speaker; expressed concern issues with the Chinese New Year's parade

Nan Su; expressed concern with the Chinese New Year's parade and process for participating

Rubin David Goodman; expressed concern with the Empress Hotel evictions

Alexander; expressed concern with the Housing Authority employment

practices

Male Speaker, Shop steward for custodians; expressed concern with the Housing Authority employment issues

Male speaker, representing custodians; expressed concern with the Housing Authority employment issues

Female speaker; showed interest in Declaring December 17 as Ending Violence Against Sex Workers

Female speaker; showed interest in Declaring December 17 as Ending Violence Against Sex Workers

Andrew Green; expressed concern with the construction of high rises in San Francisco

Male speaker, expressed concern with individuals on fixed incomes and homeless shelters

Supervisor Daly was noted absent at 4:55 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051965 [Accept-Expend State Grant - Port Commission] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $450,000 from the Governor's Office of Homeland Security for purchase of security enhancements.

Enacted Number: 864-05

ADOPTED

051966 [Honoring Rosa Parks] Supervisors Ammiano, Maxwell, Dufty, Peskin, Mirkarimi, Daly, Alioto-Pier, McGoldrick, Ma, Elsbernd

Resolution commemorating the life and mourning the loss of Rosa Parks, an icon of the Civil Rights Movement whose brave act of refusing to give up her seat on an Alabama bus in 1955 led to the end of legalized segregation in the United States; and further declaring that December 1st shall annually be

observed as Rosa Parks Commemoration Day in the City and County of San Francisco and further urging the President of the United States and the United States Congress to officially designate December 1st as a holiday to commemorate the life and contribution of Rosa Parks and the legacy of the Civil Rights movement in the United States; and further encouraging all businesses in the City, both public and private, to either close on December 1st or allow the many workers and students in the City who will want to attend Rosa Parks Commemoration events taking place during normal business hours to take the day off or to leave work and school early with impunity.

Supervisor Elsbernd requested to be added as a co-sponor.

Enacted Number: 865-05

ADOPTED

051969 [Urging the Names Project Foundation to return the AIDS Quilt to San Francisco] — Supervisors Dufty, Ammiano, Mirkarimi

Resolution urging the Names Project Foundation to return the AIDS Quilt to San Francisco.

Enacted Number: 866-05

ADOPTED

051970 [Commending Supervisor Zev Yaroslavsky for 30 years of elected service to the City and County of Los Angeles, California] — Supervisor Dufty

Resolution commending Supervisor Zev Yaroslavsky for 30 years of dedicated elected public service to the City and County of Los Angeles, California.

Enacted Number: 867-05

ADOPTED

051971 [Commending Wells Fargo] — Supervisors Dufty, Ammiano

Resolution commending Wells Fargo for its Exemplary Corporate Citizenship and Commitment to Diverse Communities.

Enacted Number: 868-05

ADOPTED

051972 [Expressing best wishes to Eric Batchelder for a successful recovery and commending his dedication and courage as a member of the San Francisco Police Department] — Supervisors Dufty, Elsbernd

Resolution expressing best wishes to Eric Batchelder for a successful recovery and commending his dedication and courage as a member of the San Francisco Police Department.

Supervisor Elsbernd requested to be added as a co-sponor.

Enacted Number: 869-05

ADOPTED

051973 [Russian Bilingual Bicultural Program] Supervisor Ma

Resolution urging the San Francisco Unified School District to consider the feasibility of establishing a Russian Bilingual Bicultural Program, incorporating methods from the European educational system of learning.

Enacted Number: 870-05

ADOPTED

051974 [Accept-Expend Grant - Public Library] Supervisor Ma

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $153,000 from the Bill & Melinda Gates Foundation to provide sustainable public access computer hardware and software upgrades.

Enacted Number: 871-05

ADOPTED

051975 [Accept-Expend Federal Grant - Office of the Chief Medical Examiner] Supervisors Ma, Dufty

Resolution authorizing the Office of the Chief Medical Examiner to accept and expend a grant in the amount of $74,300.00 from the Office of Justice Programs of the Department of Justice for Forensic Science improvement.

Enacted Number: 872-05

ADOPTED

051977 [Accept and Expend Federal Transportation Grant - Airport Commission] Supervisor Ma

Resolution authorizing the Airport Commission to accept and expend a grant totaling $44,000 from the Federal Transit Administration through the California Department of Transportation (CalTrans) and the Metropolitan Transportation Commission (MTC) for ground transportation planning interns.

Enacted Number: 873-05

ADOPTED

051978 [Accept-Expend State Grant - Port Commission] Supervisor Maxwell

Resolution authorizing the San Francisco Port Commission to accept and expend $4,200,000 in grant funds from the Safe Accountable Flexible Efficient Transportation Equity Act: a Legacy for Users ($3,200,000), the Metropolitan Transportation Commission Regional Bicycle and Pedestrian Program Grant ($750,000), and the Association of Bay Area Governments ($250,000) for continued work on the Illinois Street Intermodal Bridge Project.

Enacted Number: 874-05

ADOPTED

051979 [International Day to end violence against sex workers] Supervisor McGoldrick

Resolution proclaiming December 17th, 2005 as International Day to End Violence Against Sex Workers in San Francisco.

Enacted Number: 875-05

ADOPTED

051987 [Calling for the immediate incorporation of human rights curricula in primary and secondary schools and offering express support for the drafting of an International Convention on Human] Supervisors McGoldrick, Mirkarimi, Elsbernd

Resolution calling for the immediate incorporation of human rights education into the curricula of primary and secondary schools in San Francisco and encouraging the teaching of human rights in schools worldwide and offering express support for the drafting of an International Convention on Human Rights for the new millennium.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 876-05

ADOPTED

051988 [Commending the 409 House at 409 Clayton Street] Supervisor Mirkarimi

Resolution commending the 409 House at 409 Clayton Street in recognition of its contributions to community activism in San Francisco.

Enacted Number: 877-05

ADOPTED

051989 [Commending the Coordinators of the Thanksgiving Dinner for the Homeless and Needy] Supervisor Mirkarimi

Resolution commending the event coordinators of the Thanksgiving Dinner for the Homeless and Needy for organizing a successful holiday celebration and feast in the Western Addition.

Enacted Number: 878-05

ADOPTED

051990 [Exclusive Negotiating Agreement for Development of the Old Mint] Supervisor Peskin

Resolution extending the expiration date of the Exclusive Negotiating Agreement between the City and the San Francisco Museum and Historical Society for the development of the Old Mint.

Enacted Number: 879-05

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

Supervisor Ammiano, seconded by Supervisor Sandoval, moved to suspend Board of Supervisors Rule 4.37.

Motion to suspend the Board of Supervisors Rules of Order 4.37 carried without objection.

Severed from the Without Reference to Committee Agenda

Supervisor Ammiano requested that this matter be severed so that it might be considered separately

051928 [Bernal Heights preschool] Supervisor Ammiano

Resolution urging that the Bernal Preschool return to the Bernal Branch Library upon completion of the Branch Library Renovation.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved to amend on

page 4, line 21, by inserting "potential" before the word "return".

Motion to amend carried without objection.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved ADOPTION of the purely Commendatory Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action come to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved ADOPTION of the purely Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

052015 [Kenneth Rexroth Day] Supervisor Peskin

Resolution declaring December 22, 2005 Kenneth Rexroth Day in San Francisco.

Enacted Number: 880-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

052016 [Commending The Honorable Judge Alex E. Saldamando] Supervisor Sandoval

Resolution commending the Honorable Judge Alex E. Saldamando for his contributions to the San Francisco Superior Court and the California Judiciary.

Enacted Number: 881-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

052017 [Commending Doris Maae] Supervisor Sandoval

Resolution commending Doris Maae for her efforts to ensure that Pacific Islanders in San Francisco have access to the political process.

Enacted Number: 882-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

052006 [Appropriation of Assessments Levied for Business Improvement Districts] Supervisor Peskin

Ordinance amending the Fiscal Year 2005-2006 Annual Appropriation Ordinance to appropriate revenues collected from special assessments for disbursement to the respective nonprofit Owners' Associations for administration of the property-based business improvement districts in San Francisco for authorized purposes.

12/13/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be scheduled at the January 9, 2006 meeting.

052020 [Appropriate $1,500,000 of funding from the General Fund Reserve to the Mayor's Office of Community Development to fund the Real Ownership Opportunities for Tenants program] Supervisor Daly

To appropriate $1,500,000 of funding from the General Fund Reserve to the Mayor's Office of Community Development to fund the Real Ownership Opportunities for Tenants project for Fiscal Year 2005-2006; and to establish criteria for the creation of the Real Ownership Opportunities for Tenants project.

(Fiscal impact.)

12/13/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

052021 [General Advertising Signs - Relocation Agreements, Sign Inventories, and Associated Fees] Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by adding Section 2.21 to establish a General Advertising Sign Relocation Procedure; amending the San Francisco Planning Code by amending Section 303 to add criteria for the Planning Commission's approval of a general advertising sign relocation site, adding Section 358 to establish fees for the Planning Department's review of General Advertising Sign Inventories and proposed Relocation Agreements, amending Planning Code Section 604 to prohibit general advertising signs that have been removed from being replaced on the same site, adding Section 604.2 to require general advertising sign companies to maintain and submit to the City current inventories of their signs, and amending Sections 1005 and 1111.7 to prohibit the relocation of new general advertising signs to Historic Districts or Conservation Districts or on an historic property regulated by Articles 10 and 11 of the Planning Code; and adopting findings including environmental findings and findings of consistency with the Priority Policies of Planning Code Section 101.1 and the General Plan.

12/13/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 1/12/2006.

052022 [Amending the Articles of Formation of the South of Market Project Area Committee to Require new elections] Supervisor Daly

Resolution amending the Articles of Formation of the South of Market Project Area Committee to require new elections following the adoption of the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area.

12/13/05, RECEIVED AND ASSIGNED to Rules Committee.

052025 [Residential Rent Ordinance: Landlord may not sever parking/storage/access to common areas without just cause; tenant entitled to rent reduction upon severance] Supervisors Mirkarimi, Daly

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.2(r) to provide that parking or storage or access to common areas on the same lot, or similar facilities or space on the same lot, may not be severed by the landlord without just cause; and that where such severance does occur the tenant is entitled to a reduction in rent.

12/13/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 1/12/2005.

052027 [Adopting the Redevelopment Plan for the Mid-Market Redevelopment Project Area] Mayor

Ordinance adopting the Redevelopment Plan for the Mid-Market Redevelopment Project Area; approving and adopting findings pursuant to the California Environmental Quality Act and a Statement of Overriding Considerations for the Redevelopment Plan for the Mid-Market Redevelopment Project Area; adopting findings that the Mid-Market Redevelopment Plan and related documents are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; and authorizing official acts in furtherance of this ordinance.

(Fiscal impact.)

12/13/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 1/12/2006.

052028 [Mid-Market Special Use District] Mayor

Ordinance amending the San Francisco Planning Code by adding Sections 249.27, 145.4, 155.5, 166, 167, and 263.18 and by amending Sections 123 (Maximum Floor Area Ratio), 153 (Rules for Calculation of Required Spaces), 204.3 (Accessory Uses in C and M Districts), and 309 (Permit Review in C-3 Districts) in order to create a Mid-Market Special Use District consistent with the Mid-Market Redevelopment Plan as an overlay to existing use, height and bulk controls; imposing a variety of use, density, design and other controls to promote the development of a mix of uses including new housing of a range of types and affordable to a variety of income levels, to support the development of arts, cultural and entertainment uses by among other things allowing additional square footage of development in return for contributions to a Mid-Market Arts Space Fund through the purchase of Arts Credits pursuant to a subsequently enacted ordinance, to encourage the adaptive reuse of historic resources, to encourage active uses along Market Street and other public rights-of-way, to further the City's Transit First Policy by limiting accessory parking, discouraging long-term parking, imposing requirements for bicycle parking and car sharing, and separating parking costs from housing costs; adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

12/13/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 1/12/2006. SUPPORTING DOCUMENTS - Redevelopment Resolutions 167-2005 through 171-2005; Delegation Agreement; Planning Commission Motions No. 17050 through 17052.

052029 [Zoning Map Amendments - Mid-Market Special Use District] Mayor

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change Maps 1SU, 2SU, 7 and 7SU for the area generally bounded by Eleventh Street to the West, the triangular blocks north of Market Street from Tenth to Fifth Streets to the North, Fifth Street to the South, and Minna Alley and Mission Street to the South for blocks and lots described below; adopting

environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

12/13/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 1/12/2006. SUPPORTING DOCUMENTS - Mid-Market Redevelopment Plan Mitigation Monitoring and Reporting Plan; CEQA Findings; Redevelopment Resolution 172-2005; Addendum to Environmental Impact Report; Final Environmental Impact Report.

Resolutions

052007 [Resolution to establish the Fisherman's Wharf Community Benefit District] Supervisor Peskin

Resolution establishing a property-based business improvement district to be known as the "Fisherman's Wharf Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, subject to conditions as specified, and making environmental findings.

12/13/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be scheduled at the January 9. 2006 meeting.

052012 [Public Education Enrichment Fund for FY 2006-2007] Supervisor Ammiano

Resolution requesting the Budget and Finance Committee of the Board of Supervisors consider selected revenue increases and expenditure reductions in order to fund the City's obligation of Proposition H funding to the Public Education Enrichment Fund for FY 2006-2007.

12/13/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

052013 [Conditional approval of an historical property contract for the Chronicle Building] Supervisor Ma

Resolution under Chapter 71 of the San Francisco Administrative Code, conditionally approving an historical property contract between 690 HTC LLC and 690B LLC, the owners of the existing Chronicle Building, a structure with an eleven story tower and adjoining sixteen story tower located at 690 Market Street, also known as conditional landmark No. 243 and the City and County of San Francisco, conditionally authorizing the Director of Planning and the Assessor to execute an historical property contract at such time as the Chronicle Building becomes Landmark No. 243, the Board of Supervisors determines that the rehabilitation plan for the Chronicle Building has been completed, and the City is fully compensated for its time and material costs in processing and administering the application for an historical property contract for the Chronicle Building.

(Fiscal impact.)

12/13/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

052014 [Declaration of Election Results] Supervisor Peskin

Resolution declaring the results of the November 8, 2005 Consolidated Special Statewide Election.

12/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

052018 [Contract with Owners' Association for administration of North of Market/Tenderloin Community Benefit District] Supervisor Daly

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "North of Market/Tenderloin Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

12/13/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

052019 [Accept-Expend Federal Grant - Police Department] Supervisor Ma

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds in the amount of $225,542 made available through the United States Department of Justice, Office of Community Oriented Policing Services (COPS) for a project entitled Secure Our Schools.

12/13/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Supervisor requests this item be heard in the City Operations & Neighborhood Services.

052026 [Contract with Owners' Association for administration of Fisherman's Wharf Community Benefit District] Supervisor Peskin

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "Fisherman's Wharf Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

12/13/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

052030 [Contract with Owners' Association for administration of 2500 Block of Mission Street Business Improvement District] Supervisor Ammiano

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "2500 Block of Mission Street Business Improvement District" pursuant to Section 36651 of the Streets and Highways Code.

12/13/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be removed from the adoption without committee reference calendar for the BOS meeting of January 10, 2006 and placed on the GAO Committee calendar for Monday, January 9th, 2006 as a Committee Report.

052031 [Supporting Assembly Bill 944 (Ridley Thomas)] Supervisors Ammiano, Maxwell, McGoldrick, Daly

Resolution urging the Governor of California and the California Senate and Assembly to support the passage of Assembly Bill 944 (Ridley Thomas) which

will require a warning label be conspicuously posted wherever firearms are sold and that the warning be included in firearms sales contracts and further that the warning be included in the Handgun Safety Certificate Study Guide published by the California Department of Justice.

12/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

052032 [Commending George Gulbengay upon his retirement from the San Francisco Police Department] — Supervisors Dufty, Elsbernd, Ma

Resolution commending George Gulbengay upon his retirement from the San Francisco Police Department.

12/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

052033 [Urging the renaming of Western Addition Branch Library] — Supervisors Mirkarimi, Dufty

Resolution urging the Library Commission to rename the Western Addition Branch Library as the Mary Helen Rogers Branch Library.

12/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

052023 [Release of DCYF funds for youth services] — Supervisor Daly

Hearing to consider release of DYCF funds for youth services in the South of Market on reserve in the Budget and Finance Committee.

12/13/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

052024 [Release of Department of Human Services funds for senior services] — Supervisor Daly

Hearing to consider release of Department of Human Services funds for senior services in the South of Market currently on reserve in the Budget and Finance Committee.

12/13/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.
1/6/06 - Received correspondence from Human Services Agency requesting release of $78,601.33 to fund the Congregate Meal and Community Services for seniors and Younger Disabled Adults in the South of Market area.

Charter Amendments

052008 [Charter Amendment - Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors] — Supervisor Elsbernd

Charter amendment (First Draft) to add Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds'

vote.

12/13/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/12/2006. 12/21/05 - Pursuant to Rules of Order 2.28.4 and 2.28.6 referred to Controller, City Attorney, Ethics Commission, Director of Administrative Services, City Administrator, Environmental Review Officer, Mayor's Office, Budget Analyst, Department of Elections.

052009 [Charter Amendment - Homicide Prevention Plan; Survivor Assistance; Funding for Violence Prevention Programs] — Supervisors Daly, Ammiano, Maxwell, Mirkarimi

Charter amendment (First Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional $20 million per year for the next four years to fund violence prevention programs identified in the Plan; and, set an expiration date.

(Fiscal impact.)

12/13/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/12/2006. 12/21/05 - Pursuant to Rules of Order 2.28.4 and 2.28.6 referred to Controller, City Attorney, Ethics Commission, Director of Administrative Services, City Administrator, Environmental Review Officer, Mayor's Office, Budget Analyst, Department of Elections. 1/9/06 - Referred to Youth Commission, Juvenile Probation Commission, Police Commission.

052010 [Charter Amendment - Increase the monthly stipend for members of the Board of Education and the Governing Board of the Community College District from $500 to $1,000, and providing for an — Supervisor Daly

Charter Amendment (First Draft) to amend Sections 8.100 and 8.101 to increase the monthly stipend for members of the Board of Education and the Governing Board of the Community College District from $500 to $1,000, and to provide for an annual cost-of-living adjustment.

12/13/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/12/2006. 12/21/05 - Pursuant to Rules of Order 2.28.4 and 2.28.6 referred to Controller, City Attorney, Ethics Commission, Director of Administrative Services, City Administrator, Environmental Review Officer, Mayor's Office, Budget Analyst, Department of Elections. 1/12/06 - Referred to Board of Education, Community College District, Human Resources-ERD.

052011 [Charter Amendment - Port Commission: establishing minimum qualifications for Commission members, imposing term limits, increasing the number of Commission members from 5 to 7, and limiting — Supervisor Peskin

Charter Amendment (First Draft) to amend Section 4.114 to establish minimum qualifications for members of the Port Commission, impose term limits, increase the number of Commission members from five to seven, and limit hold-over appointments.

12/13/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/12/2006. 12/21/05 - Pursuant to Rules of Order 2.28.4 and 2.28.6 referred to Controller, City Attorney, Ethics Commission, Director of Administrative Services, City Administrator, Environmental Review Officer,

Mayor's Office, Budget Analyst, Department of Elections.

Motions

052004 [City and School District Off-Site Meetings] Supervisor Ammiano

Motion ordering the City and School District Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on Monday, March 13; Monday, May 8; Monday July 10; Monday, September 11 and Monday, November 13, 2006, at 4:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

12/13/05, RECEIVED AND ASSIGNED to Rules Committee.

052005 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
Version.

12/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

051983 [Changing the official sidewalk width - Turk Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1568 to change the official sidewalk width on the southerly side of Turk Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

12/5/05, RECEIVED AND ASSIGNED to Land Use Committee.

051984 [Changing the official sidewalk width - Market, Main, and Spear Streets]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1567 to change the official sidewalk widths on the southerly side of Market Street, easterly side of Main Street, and the westerly side of Spear Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk widths changes. (Public Works Department)

12/5/05, RECEIVED AND ASSIGNED to Land Use Committee.

051985 [Deletion of a street flower market location on

Market Street at Fifth Street]

Ordinance amending Public Works Code Article 5, Section 155 to delete the street flower market location on the south side of Market Street within 100 feet of the west line of 5th Street. (Public Works Department)

12/5/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 1/12/2006.

PROPOSED RESOLUTIONS

051942 [Amendment to Paratransit Broker Agreement]

Resolution approving Amendment No. 6 to Agreement between the City and County of San Francisco and ATC/Vancom, Inc., to lease up to 20 accessible vans to the Contractor to be subleased to Lift Van/ADA Access service providers participating in the City's Paratransit Program. (Municipal Transportation Agency)

11/30/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051944 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
285 Dorland Street, south side, between the driveways of #285 and #295 Dorland Street (establishes three motorcycle parking spaces in this 14.5 foot space).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Folsom Street, west side, between Cesar Chavez Street and 26th Street.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Mississippi Street, west side, north of 25th Street to the terminus

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Green Street, south side, from Battery Street to 140 feet westerly; and,
Green Street, south side, from Sansome Street to 16 feet easterly.

PARKING METER AREA 3, 2-HOUR TIME LIMIT, 9AM TO 6PM, MONDAY THROUGH SATURDAY- ESTABLISH
Ellis Street, both sides, between Van Ness Avenue and Franklin Street

PARKING METER AREA 3, 2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY -ESTABLISH
Portola Drive, south side, between Fowler Avenue and Evelyn Way and between Teresita and O'Shaughnessy Boulevards

1-HOUR TIME LIMIT PARKING - RESCIND
PARKING METER AREA 1, 7AM TO 6PM, 2-HOUR, MONDAY THROUGH SATURDAY - ESTABLISH
Tehama Street, north side, between 1st Street and 140 feet west of 2nd Street (Unit and 100 block)
Clementina Street, south side, between 1st and 2nd Streets (Unit block)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Market Street, south side, from Octavia Street off-ramp to Valencia Street

TOW-AWAY, NO PARKING ANYTIME - RESCIND
Market Street, south side, from 151 feet west of Valencia Street to McCoppin Street

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, EXCEPT SATURDAY - RESCIND
Market Street, south side, from Valencia Street to 151 feet westerly

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Mars Street, both sides, between 17th and Corbett Streets (Unit block)

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Divisadero Street, east side, between Haight and Page Streets (200 block)

STREET CLOSURE - ESTABLISH
Jack Kerouac Alley, between Grant and Columbus Avenue (permanent closure to automobile traffic).

SIDEWALK WIDTH - EXTENSION
Mission Street and 18th Street intersection, northwest and southeast corners (sidewalk would be widened by five feet by installing new corner bulbs)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
McKinnon Avenue, north side, between Toland and Selby Streets.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Waterville Street terminus (200 block)

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
28th Street, both sides, between Church and Sanchez Streets (200 block)

TOW-AWAY, NO STOPPING, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
Trumbull Street, north side, from Congdon Street to 100 feet easterly. (Parking and Traffic Department)

11/29/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit

11/30/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 01/06/06- Parking and Traffic notified to post notices in affected locations and ad place in the 1/11/06 edition of the SF Chronicle for the 1/23/06 meeting date.

051945 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE LEFT TURN LANES - RESCIND
Eddy Street, eastbound, requiring the center lane to turn right at Cyril Magnin Street, eliminating multiple left turn condition.

BICYCLE LANES - ESTABLISH
Market Street, south side, eastbound, from McCoppin Street to Valencia Street (Parking and Traffic Department)

11/29/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3094.)

11/30/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 01/06/06- Parking and Traffic notified to post notices in affected locations and ad place in the 1/11/06 edition of the SF Chronicle for the 1/23/06 meeting date.

051948 [Street Encroachment at 365 Main Street]

Resolution granting revocable permission to Harrison 160, LLC, for a street encroachment comprised of two (2) existing previously installed vaults that encroach into the public sidewalk right-of-way, located at 365 Main Street (Block 3745, Lot 008) and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

(Supervisor McGoldrick dissenting in committee)

11/30/05, RECEIVED AND ASSIGNED to Land Use Committee.

051980 [Unlitigated Claim against Pacific Gas and Electric Company]

Resolution authorizing settlement of the unlitigated claim by the City and County of San Francisco against Pacific Gas and Electric Company for $615,222.78 for damages caused by power outage of December 20-21, 2003. (City Attorney)

12/1/05, RECEIVED AND ASSIGNED to Rules Committee.

051981 [2006 Water Revenue Refunding Bonds Issuance]

Resolution approving the issuance of not to exceed $125,000,000 aggregate principal amount of San Francisco water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue refunding bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)

(Fiscal impact.)

12/5/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051982 [2006 Water Revenue Bonds Issuance]

Resolution approving the issuance of not to exceed $525,000,000 aggregate principal amount of San Francisco water revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)

(Fiscal impact.)

12/5/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051986 [Settlement of Claim - AMPCO System Parking]

Resolution approving the settlement of the unlitigated claim for Parking Tax Refund filed by AMPCO System Parking against San Francisco for $93,134.80. (City Attorney)

12/5/05, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to (a) ascertain the City and County of San Francisco's current inventory of motor vehicles and any related products purchased from the Ford Motor Company (b) anticipated purchase of motor vehicles and other related products from the Ford Motor Company for fiscal year 2005-06 (c) and whether Ford Motor Company's termination of existing advertising contracts with any Gay, Lesbian, Bisexual and Transgender businesses resulting from the boycott from the American Family Association can be construed as being non-compliant with the City's Human Rights laws and non-discrimination in City contracting.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of graffiti removal of:

Green light box, emergency phone box and light post at the intersection of Golden Gate and Scott.

Light post at the southwest corner of Golden Gate and Pierce Streets.

Mailbox at Golden Gate and Steiner.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of tree pruning:

Along Oak Street between Divisadero and Scott Street.

O'Farrell Street between Pierce and Scott

cc: John Dalles

1187 Hayes Street

San Francisco, CA 94117

From: Supervisor Mirkarimi

To: Director, Department of Recreation and Park

Requesting/Inquiring: Requesting the Department of Recreation and Park to report on the status of repair of the irrigation line at the southeast mound at Alamo Square Park.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of

In Memoriams

Rashad Laron Williams - Supervisor Mirkarimi

Eugene McCarthy - Supervisor McGoldrick

Richard Pryor - Supervisor McGoldrick

Minnie Ward - Entire Board

Jim O'Connor - Supervisor Elsbernd

Antonio Yap - Supervisor Daly

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:13 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 10, 2006.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct

copy of the Minutes of said Board on the date stated and was approved as recited.

There being no further business the Board adjourned at the hour of 5:13 p.m.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the

Friday before the Board meeting. This advance notice will help ensure availability.
For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby Jr. by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999-2006 City & County of San Francisco. All rights reserved.

30236

HOUCHEN
BINDERY LTD
UTICA/OMAHA NE.
2005